

AN  
**A N S W E R**  
TO THE  
**DECLARATION**

Of the Pretended A S S E M B L Y at

DUNDEE;

AND TO A

**PRINTED PAPER,**

*INTITULED,*

The **PROTESTATION** given in by the Dissenting

Brethren to the **GENERAL ASSEMBLY,**

*July 21. 1652. Reviewed and refuted, &c.*

In which **A N S V E R** are set down

**Ten Steps** of their defection

who follow the way of the

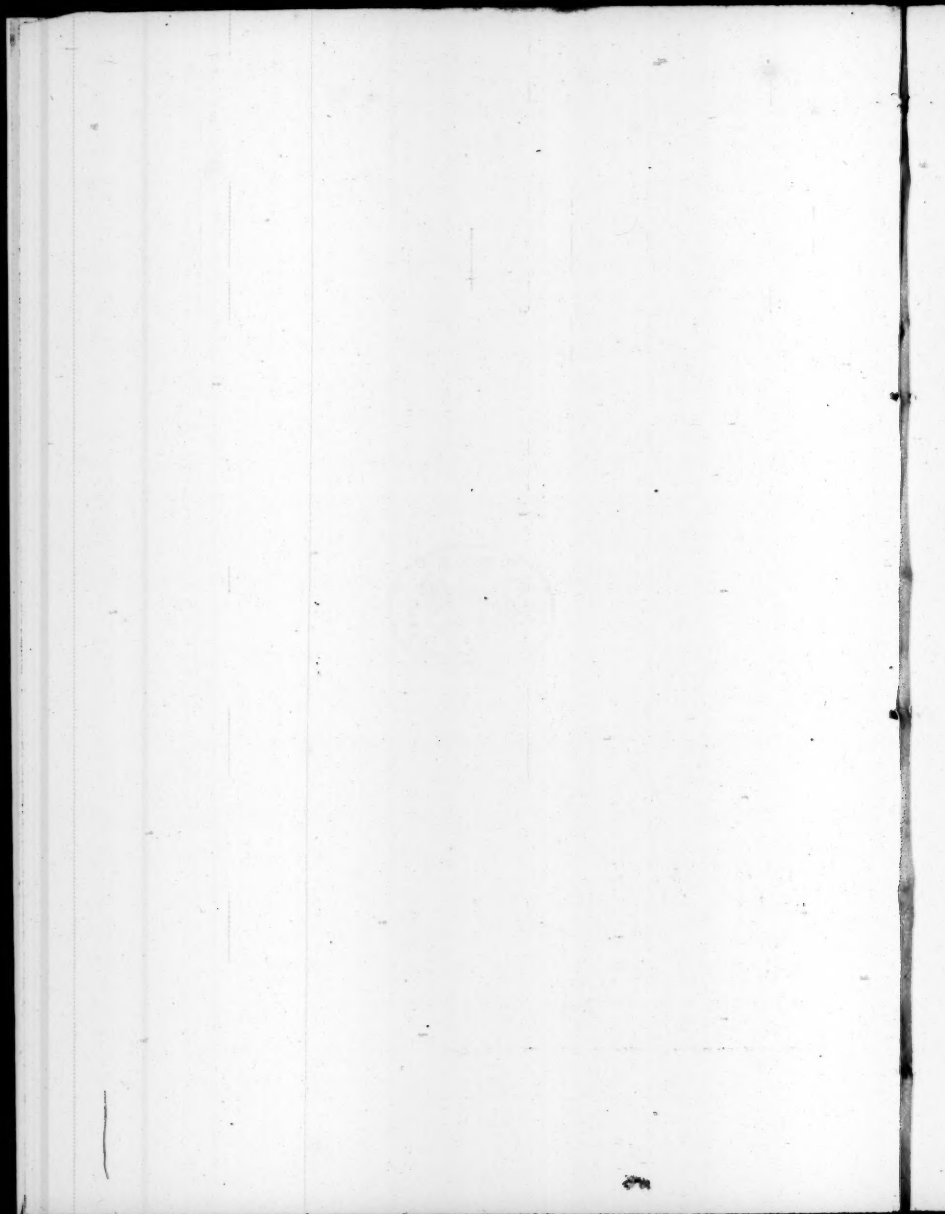
**Publick Resolutions.**

*Together With*

**OBSERVATIONS** upon some of the **Acts**  
of the P. Assemblies at *Dundee* and *Edinburgh*, and  
some **PAPERS** concerning the endeavors of the  
**PROTESTERS** for Union with their Brethren,  
who differ from them in Judgement.


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Printed in *Anno 1653.*





GOOD READER,

 E pleased to understand, that when that Paper, Intituled The Protestation given in by the dissenting Brethren to the Gen. Assembly July 21. 1652. Reviewed and refuted, &c. came abroad in Print, there were differing thoughts about it, amongst these who are concerned to answer it. Some said that it was not worth an answer, others knowing that it did indeed more abound with calumnies and reproaches than with arguments, yet, did judge it fit to be answered, because in this corrupt age calumnies passe for truths among the generality of people without any serious disquisition and examination. Within very few dayes after that Paper was published, an Answer was drawn by one who favoureth the Cause of the Protesters, and was by him intended presently for the Presse; But there it was delayed, and upon good grounds the Review of the Vindication of the pretended Assembly at St. Andrews and Dundee had the precedency in the Presse; for the validity of the Protestation lately made at Edinburgh doth much depend upon the nullity of that Assembly, which was asserted and well proved in that Review; And the Writer of that Paper ( I mean the Review of the Protestation made at Edinburgh, to which the Answer was intended ) did so hyperbolically commend that Vindication of the Assembly at St. Andrews and Dundee as a Nervous Piece, not yet answered, nor easily answerable, beside diverse other expressions about it, and did so often refer unto it in his Review, that it was easie to perceive that no answer would be accounted satisfactory, if that Vindication were not first answered and published that sober and judicious men might see whether there was so great cause of boasting of that Vindication or not, and to give such Publick provocations in Print, calling for an Answer to it; beside that, there was information that a course was taken by some of those that maintain the Publick Resolutions for Printing the Vindication of that Assembly at London, which was very true for it was Printed there in the year 1652. After the Review of the Vindication was Printed; this Answer was a while stopped at the Presse for want of licence to Print it, and as some things which were in the Copy which was at first intended for the Presse were left out, so other things emergent were added. The Reviewer of the Protestation doth in the beginning of his Paper refer to a Declaration made at the pretended Assembly at Dundee, which you will find to be first an-

ferred here; and because it abounds with reproaches and mis-Information, therefore there was a necessity to insist the more largely in matters of fact. You have next the steps of their defection who follow the way of the Publick Resolutions, and then the Answer to the Review of the Protestation, and lastly some things about the Union endeavoured by the Protesters, together with observations upon some hits of the said pretended Assemblies; In all which you have their own Papers, that it may be seen that no wrong is done to their cause, in repeating their Reasons and Arguments except it be done by themselves. I desire not to prejudice the Reader by a Preface, onely this much I would say further, that whereas this Reviewer boasts that the gray headed and aged men for the most part are on their side, to which there is enough answered in this Treatise; Yet I would have it remembered that the same Argument is used by Eliphaz the Temanite against Job. chap. 15. v. 9, 10. What knowest thou that we know not? What understandest thou which is not in us? With us are both the gray-headed and very aged men, much elder then thy father. But this is better considered by Elihu, Job 32. 7. 8, 9. I said dayes should speak, and multitude of years should teach wisdom: But there is a spirit in man, and the Inspiration of the Almighty giveth them understanding, great men are not alwayes wise, neither do the aged understand judgement. Farewell good Reader, read and consider, and the Lord give thee understanding in all things so I rest,

Thine in the LORD JESUS.

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*The PROTESTATION Reviewed and refused: Briefly shewing the insufficiencie of the Reasons thereof, and consequently the justice of the Assemblies sentence condemning it.*

**H**ow wel this Reviewer and Refuter hath performed what this his Title seems to promise against the Protestation, and for the sentence of the Assembly condemning it, will appear to these to whom the Lord gives an hearing ear, and a seeing eye, by comparing what is said in defence of the Protestation in Answer to this Review. Therefore beseeching the LORD who is no respecter of persons, to make what is here said unfavourie or acceptable unto the Reader, as it contributes for destruction or edification, for darkening or clearing of the truth in this hour of temptation, and day of blasphemie and rebuke. I come to the matter it self.

#### REVIEW of the PROTESTATION.



*Amongst the many sad judgments wherewith the holy blessed God is pleased to exercise this sinfull Land, staining the pride of all our glory, there is none more terrible, then that he threatneth to remove our Candlestick.*

#### DEFENCE of the PROTESTATION.

**A**lbeit the Generation of the righteous in the Land, who are instructed with a strong hand, are preserved in hope, that the thoughts of the Lord towards this poor Church, are thoughts of peace, and not of evil, to give us an expected end, yet that there be many things which threaten that most dreadfull judgment of removing the Candlestick, he that runs may read, the shadowes of the evening are grown long, and the wilde beasts are come out of their dens, our Battlements are broken down, and the Adversary

hath stretched forth his hand upon all our pleasant things : we see not our signs, there is no more any Prophet, neither is there amongst us that knoweth how long, the Lord is become as a stranger, and as a way-faring man in the Land, that turns aside to tarry for a night: he hath covered himself with a cloud in his anger, and prayer is restrained before him; the anger of the Lord hath divided us, and he seems no more to regard us. But that which is most dreadfull in it self, and doth most imbitter so sad a condition, is, that we have fallen from our first love; we have forgotten the Lord, and dealt falsely in his Covenant, our hearts are turned back, and our steps have declined from his way; we have forsaken the fountain of living waters, and digged unto our selves broken cisterns that can hold no water; We have walked in the way of *Egypt*, to drink the waters of *Siber*; and in the wayes of *Assyria*, to drink the waters of the river, the enemies of the Lord have been intrusted and stayed upon, their interests owned and promoted, holiness and piety despised and troden under foot, the godly persecuted and reproached, the hearts of the wicked made glad, and their hands strengthened; the hearts of the righteous made sad, and their hands weakened, the Work of Reformation in purging of scandalous and prophane Officers and Members out of the House of God, evill spoken of for what is past, and a foundation laid to obstruct it for the time to come; yea, to persecute and cast out such who shall oppose and bear testimony against these things; and yet after we have done all these things, and have gadded about so much to change our way, have trimmed our way to seek love, and also taught the wicked ones our wayes, we wipe our mouth, and say, We are innocent. And that notwithstanding all that is come upon us, we have not forgotten the Lord, nor dealt falsely in his Covenant; and we cannot bear these who discover our iniquity, and make known our sins unto us. If there be any who desiring to keep their integrity, and to adhere to their former principles, bear testimony against the Lands back sliding and defection against our Princes and Prophets, and People in their late transactions with the enemies of Reformation, and haters of the people of God, and of the power of godliness, these are the burden of many, and are for signes and wonders who are spoken against; even these are they whom this Reviewer and Refuter calls *deceivers and persecuters, and miserable comforters, who in the day of Sions calamity stand afar off from her,*

her, and persecute her whom the Lord hath smitten, and talk to the grief of these whom he hath wounded, and who in her adversity gather themselves together, in the place of cordials bringing corollives. The Protesters against whom he throweth these reproaches, acknowledge themselves to be men compassed about with many infirmities, and that for their sins also wrath is upon the Land: But if they have done this thing, and if this iniquity be in their hands wherewith they are here charged, let their honour be laid in the dust, and their glory turned into shame; I think they may and will, in trembling and humble fear, commit their Cause unto the righteous Judge of the World, who will make every mans works manifest, is it to stand a far off from Zion, or not to comfort her, or to deceive her, or to persecute her, not to be consenting to the whoredoms and back-slidings of her children? And to tell them, that they have perverted their way, and have forgotten the Lord their God, and to say to her Prophets, that they do not discover her iniquity, to turn away her captivity, and that they, even they have caused the Lords people to err: *some of them built a wall, and many strive to uphold it, and daub it with untempered mortar; I mean, that some of them gave counsell concerning the employing and entrusting the Malignant Party, and that many adhere thereto; and for strengthening these wretched foundations, have corrupted and perverted the Nationall Assemblies of this Church in the free and lawfull constitution thereof; that they have made sad the hearts of the righteous, whom the Lord hath not made sad, and strengthened the hands of the wicked, that he should not return from his wicked way, that they thrust with the side and shoulder, and push the diseased with their horns, to scatter them abroad, that they decree unrighteous decrees, and write grievous things against their brethren, which they have prescribed. Our bruise is sore, and our wound is incurable, for the Lord hath wounded us with the wound of an Enemy, with the chastisements of a cruell one, for the multitude of our iniquities, because our sins were increased:* Therefore is it no time to cover our transgressions as Adam, by hiding our iniquity in our bosome, nor to daub with untempered mortar, nor slightly to heal the daughter of our people, but to give glory to the God of Israel, by taking shame to our selves, and confessing wherein we have trespassed against him; and it is the best service that can be done to Zion, to shew her sons and her

her daughters in this day of her calamity, why the Lord contendeth with her. Such corrosives from friends, are better then the cordials of flatterers; when the righteous smites it is a kindnesse, and when he reproves, it is an excellent oil which breaks not the head. Surely this is the Lord and his Saints; yea, the Interpreters one of a thousand their paved way of being comfortable to these whom GOD hath smitten, to discover their work and the transgression wherein they have exceeded, that they may open their ear to discipline, and remember whence they are fallen, and repent, and do their first works, lest if they obey not, they perish by the sword, and die without knowledge; or he come against them quickly, and remove their candlestick out of his place, *Levit. 26. 40. 41. Job 34. 29, 30, 31, 32, 33. Job 36. 8, 9, 10, 11, 12. Rev. 2. 4, 5.*

#### PROTESTATION Reviewed.

**I** *Shal be loath to trace that too ordinary by-path of judging any mans eternal estate by his temporal out-breakings, or his heart and intentions by the outside of his actions, yet I think I may safely say, That that Assembly at St. Andrews and Dundee, although despised of Men, was owned of GOD, and that he guided their Pens, as all along in their Proceed, so particularly in their Warning and Declaration, and these Word thereof, What ever hath been the intention of those who have been instrumental in making of this rent from Publick Counsels and Actions, yet the Work is self, and the spirit that hath been stirring in it, hath been and yet is most effectual for carrying on of the design of the adversaries of our cause; Which they prove by seven Steps of their Progress.*

#### PROTESTATION Defended.

**T**O judge of any mans everlasting estate by his temporal out-breakings, or his intentions by the outside of his actions, as it is to encroach upon things secret which belong unto God, and to walk uncharitably towards men, so it is not the path which the Protesters have troden, and it is but a groundles insinuation to suggest it of them, they know, and do acknowledge, that many of the Lords Precious Ones before their effectual calling are amongst the worst of out-breakers, and that some of them even after they are made partakers of the Grace of God, fall into grievous sins; yet do



these things bar them, or cut them off from the mercy of God, whose election is according to Grace; and therefore the Protesters have not denied the Testimony of gracious men to not a few of these whose hand (alas for it!) is deep in the provocation; they know also how to distinguish, and have distinguished betwixt the condition of the work, and the intention of the worker, and think charitably of the one, whilst they condemn the other: yet these things hinder them not to discern betwixt the righteous and the wicked; him that serves God, and him that serves him not: the Lord hath taught us that false Prophets may be known by their fruits, and that men do not gather grapes of thorns, nor figs of thistles, *Matth. 7. 16. 20. The transgression of the wicked saith within mine heart, that there is no fear of God before his eyes, Psa. 36. 1.* As I dare not judge of any mans everlasting estate, but leave it unto him with whom the books are; so have I not so learned Christ as some men would have it, to put no difference amongst the Professors of the Gospel, but to call them all godly though estranged from the life of God through the ignorance that is in them, and walking contrary to the Gospel. That the Assembly at *S. Andrews* and *Dunee* was owned of God, and that He all along in their proceeding did guide their Pens, as my soul cannot away with that assertion to subscribe to it, so I fear it is more than the Lord will allow any man to say. 1. Because that Assembly did say, a confederacy to these concerning whom the Lord spoke to his Prophet with a strong hand, and instructed him that he should not say, A confederacy to them, *Isa. 8. 11, 12.* And therefore, although they did absolve themselves, yet they did fall and fail together, *Isa. 31. 3.* The sad dispensation of their ruin being in the beginning thereof at *Inverkeithen* in Providence trysted with the beginning of that Assembly, and afterward more fully accomplished and perfected at other places, as they, and their Commission went on in ratifying of these Resolutions, and censuring the opposers of the same, and issuing Warnings and Declarations in reference to these things. 2. Because that Assembly was so far from rejoicing the hearts, or approving themselves unto the consciences of most of the godly in the Land, or from leaving this seal and impression upon their hearts that they had the image and authority of Jesus Christ, and did proceed according to the Law and the Testimony, and employ their power unto edification and promoting of godliness; that upon the contrary

contrary they did exceedingly sadden their spirits and leave a deep and strong conviction thereupon, that they did add unto the Lands provocation and encrease wrath, and that in most of all their actings they did walk not unto edification, but unto destruction. 3. Because their actings did rejoyce the hearts and strengthen the hands of these in the Land who were void of Grace and of the knowledge of Jesus Christ, and adversaries to the Cause and People of God, and mockers and haters of Piety and Godliness. Was not that Assembly countenanced and pleaded for? and is it not to this day countenanced and pleaded for by all the generation of malignant and prophane persons throughout the Land? And sure, if it had been so much countenanced and owned of God, it is not like that it should have been so endeared to these who have so much opposed his friends and interest in *Scotland* these many years past. 4. Because that Assembly at *Dundee* did for no other cause, but for protesting against their wrong Constitution, and the ratifying of these Resolutions, censured and pronounce the sentences of Deposition and Suspension against sundry godly men who have obtained mercy of the Lord to be followers of his Cause since the beginning of the late Reformation, and whose Ministry hath been sealed of the Lord upon the hearts of not a few of his People. 5. Because they did by their Acts lay a foundation for censuring all Ministers, Elders, Expectants, Students and Professors whatsoever, who refuse to acknowledge the constitution of that Assembly and oppose the Acts thereof; which as it makes way for the casting out of many able & godly Professors from being Church-members (for it is well known how many there be of the godly in the Land both Ministers, Elders, and Professors, who cannot be consenting to submit to these things, but do hold themselves bound in their stations to bear testimony against them) Now, to cast out & persecute all these, or to lay a foundation for doing of it, whether it be to be owned & guided of God, and to do things to edification; or if it be not rather to be deserted of the Lord, to establish iniquity by a Law, and to decree unrighteous Decrees, & write grievous things against their Brethren which they have prescribed, I leave it to those who are taught of God, to consider. As to that passage in the Warning and Declaration of that Assembly (so much magnified and cried up by the Author of this *Review*) it was, and it is the intention of the Protesters, through the Lords assistance (though with much weakness) to oppose the design



design and work of the Adversaries on both hands, and to tread the middle path, the good old way, without declining to the right hand or to the left, upon which account it was that they could not condescend to employ and associat with, and entrust one adversary for opposing another, knowing such courses to be condemned of God in his holy Word, and to have proven bitter often heretofore unto this Nation, and for this cause did solemnly engage, that we should do no more so : Therefore have they alwaies owned, and strictly adhered to the Covenant and Cause, and former Principles of the reforming party in this Land, set down in their Publick Papers; and that they might not partake of other mens sins, did not concur with, but bear testimony against the carnal counsels of mens own hearts, because of which the Sword did abide in our Cities, and consume our branches, and devour them, *Hos. 11. 6.* and the spirit that hath been stirring in them in these actings ( I trust ) is no other then the good Spirit of God, the Spirit of truth and holiness, the voice behind them that speaks in the ears of the Lords People, *This is the way, walk ye in it, when they turn to the right hand, and when they turn to the left hand, Isa. 30. 21.* In order to this passage of the Warning at Dundee, I wish the first penner thereof, and the Gentleman who now hath cited it, and all others, to consider these few things : 1. That not long ago there was a time that some of the best and most precious of these who now charge the Protesters with these harsh imputations of having *a spirit stirring in their work that hath been, and is most effectual for carrying on of the design of the Adversaries of our Cause* were liable no less then the Protestors now are to the same Imputations from these by whom they now are cried up and commended, and with whom they now joyn issue in casting them upon their Brethren. It concerns them to think whence these changes are, and whether they have given diligent heed to that word of exhortation that saith, *Let them come to thee, but go not thou to them.* 2. That the Protesters have studied to take hold of every opportunity to declare and make known their approbation of, and adherence unto the Work of Reformation, and to bear testimony against all injuries done thereunto, and encroachments made thereupon, and have endeavoured to the utmost of their power to prevent and remedy the same. 3. That the Authors and Abettors of the Publick Resolutions, have now met several times in their Assemblies and Commissions,

missions, yet to this day have we had no word of testimony from them against these adversaries of our Cause, with the promoting of whose design they do so much charge the Protesters, but their spirit and zeal hath been spent another way. As to what they have done at their late Assembly with closed doors, none being present but themselves, that cannot be looked on as a testimony to the Cause of Christ, and at the best it will amount to no higher, than the profession of *Nicodemus* in private. Why have they not made it a testimony indeed, and appointed some of their number to present, own and avow it, before some of these against whom they testify, as the Protesters did seasonably and with the first opportunity? Or why did they remove all others out of their meeting? Were they afraid that some should have born witness and testified what they had done? If they looked on themselves as an Assembly of this Kirk, they cannot be ignorant that the transactions of General Assemblies ought and use to be publick, and especially their testimonies. Or why did they not communicate the same to Synods, Presbyteries and Congregations, but let it ly in the dark to this day. If they desire to be accounted faithful, they would either give a more distinct and certain sound concerning these adversaries, or else speak lesse against the Protesters. lest they bewray more passion then piety, and more of the zeal of themselves, then of the true zeal of God.

4. Where hath that spirit lodged which this last year past hath been most effectually for carrying on the design of the adversaries, whether among the Protesters, or amongst the Authors and Abettors of the Publick Resolutions, let themselves speak.

But because he is pleased from that Warning and Declaration of the Assembly at *Dunfermline*, to mention seven steps of progresse, whereby they labour to prove what they do assert in the former passage acted by him; therefore seeing that Declaration (which is fraughted with much ill-grounded charity to Malignants, and with a great deal of causelesse prejudice and mistaken zeal against many of the precious and godly in the Land) begins again to be digged up out of its grave, wherein sad dispensations of Providence did once seem to bury it before it could be heard speak in many of the Congregations of the Land, therefore though he do insist on the last Step, yet for truths sake, and for clearing of these who are traduced without cause, I shall speak shortly to all the seven.

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## The DECLARATION at Dundee.

**T**He first step is expressed thus: *The credulity of some, believing the hypocritical pretences of this now prevailing faction of Sektaries, mixed apparently with the crafty designe of others would not so much as admit the suspicion of this enemies purpose to invade us, and thereupon d.d resist and retard the lifting of an Army for the defence of the Cause and Kingdom, untill the Enemy was very near our Borders, and had emitted a Declaration of their resolution to invade us, so that all means of defence was like to be utterly marred.*

### DEFENCE.

**T**Wo things are charged here upon the Protesters and their adherents, as the principle of their actings, credulity in some, and designe in others. As to the first, it is indeed ordinary to gracious men to be credulous of these who have the shew of godliness, until they see them deny the power thereof, and I think this fault (if it be a fault) may be easily pardoned by these who allow so large charity to Malignants upon bare and naked Professions now and then, when they come before the Judicatories of the Kirk, notwithstanding of their many former breaches and relapses, and known d simulation & contrary cariages in the tenor of their speeches & actings. but what ever be these mens credulity, yet seeing they walked in the simplicity of their hearts, the Lord hath to this day kepted them out of snares, and given them, as to the main of their carriage, to keep the straight way, declining extreame on both hands. As to the second, to wit, a crafty designe in others, it is alleaged to be apparently so, but no evidence is brought of that, neither can any evidence be brought of it, it being a meer alleadgement, without all ground of truth, such things have been spoken, and written, and preached by some now for a good while past, it is now high time since it hath been so often called for, for their own credits sake to bring some proof of what they say; I beseech the Author of these words, and of all such expressions, as before the Lord, and as they would not wrong themselves nor their brethren, nor delude and do injury to others, by filling their hearts with thoughts of jealousy and rancour against innocent men, if they know any thing of this kind, to bring it forth; and if they know

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nothing,

nothing to forbear such reproches, which though for the present they be bitter to these whom they asperse, yet in the end the shame will return upon the heads of these who have broached and vented them; It may be remembred, that reproaches of this kind were cast upon the most eminent and faithful, in the year 1648, by the Authors of the unlawfull Engagement, because of their opposing thereof, and bearing testimony against the same; but passing these, I come to that which is alledged to be their work, and that was, that they did resist and retard the lifting of an Army for defence of the Cause and Kingdom, for clearing and confuting of which, it would be remembred, that as in resolving and condescending upon the Instructions given to the Commissioners of this Kingdom for Treating with the King, there were some who too much favouring the Malignant party, would have had it put in Instruction, that this Kingdom would engage in a War against *England*, for restoring the King to his Throne, upon condition of his giving satisfaction in the Demands propounded to him, which when they could not obtain, their next endeavour was, that the transaction at *Bredah* might be so carried, as that the King and his Party might have some probable assistance of this, and therefore was the first invitation given to the King there, contrived in such words & expressions, as seemed to import the same; which being sent home to this Kingdom, was censured & corrected by the Parli. & new Instructions sent back to *Holland*, containing the express demands of this Kingdom to the King, and the form of the Invitation given him upon satisfaction *in terminis* to these demands; which form of Invitation & Declaration made therewith, did exclude all engagement to make war upon *England*, yet was there a Party in the Land, and some in the Parliament, whose designs and endeavors did still tend to engage us in a War against *England*. On the other hand there was cause to fear an Invasion from *England*, by reason of the preparations made the former year by those in power in that Nation, upon the report of an Agreement betwixt the King and Commissioners sent from this Kingdom to *Holland*, in the year 1649. The great difficulty was, how to steer an even course in reference to both these extremes, both to prevent a sinfull Invasion from this Land upon *England*, and from *England* upon this Nation. The Parliament having seriously pondered both the dangers, took this course; They sent to their Commissioners then in *Holland*, renewed Instructions,

ons, together with a Declaration, wherein they made known their dissatisfaction with severall things in the Treaty, in which the Commissioners had varied from their Instructions, particularly they declared, that nothing agreed on should import an obligation to make War against *England*, and gave expresse direction that none of the Malignant Party should be permitted to come to *Scotland*; and this Instruction was forthwith turned into a Law, and published in Print by Proclamation at the Market Crosse of *Bainburgh*: And the Earl of *Calendar* who had adventured to come from *Holland* to *Scotland*, upon hopes of the approbation of that Treaty, was presently commanded to go aboard a ship within twenty four hours, and forthwith to depart the Kingdom, under the pain of imprisonment, and the fine of a hundred thousand merks. These Instructions and the Declaration of the Parliament, were delivered to the Commissioners in *Holland*, before the King came away, together also with Letters to the same purpose from the Commission of the Kirk to their Commissioners. To prevent the danger of an Invasion from *England*, the Parliament did (without so much as the least question or objection made to the contrary by any Member thereof) renew the Acts of Posture and Leavie which were made the year preceding, for putting the Kingdom in readinesse in case of Invasion, and upon the 22. of *June* 1650. they wrote Letters directed to Mr. *Lenthall*, Speaker of the House of Commons, the Lord *Fairfax* then Lord Generall, Lieut. Generall *Cromwell*, Major Generall *Lambert*, and the Governour of *New-Castle*, in which Letters they shew, that as in their Letter of the 6. *March* 1649. they did both acknowledge their obligation, and did declare their resolution to observe the rule of remonstrating first the breaches of Peace, of craving just reparation, of using all fair means of giving a preceding Warning of three moneths before any engagement of these Kingdoms in War, so they do again renew the same, and do solemnly professe, that they do it in the sincerity of their hearts, not out of any policy to catch advantages for any other end or designe, but meerly for their own defence, which they do accompt abundantly sufficient to remove all grounds of jealousies and mis-reports of their intentions, and to take away all pretence of necessity of the marching of Forces for defence of the Borders of *England*. And being informed of a resolution in *England* to send an Army to invade this Kingdom, they desired to know

whether these who have the present power in England do acknowledge themselves obliged, or by their answer will oblige themselves and declare their resolutions to observe the foresaid way and order upon their part to us, and plainly and clearly to declare whether their Forces do march for defence or offence, for keeping onely Within the Borders of England, or coming within ours: which way of proceeding in clearing each other, and dealing plainly, is not onely agreeable to particular Treaties, and to the many Bonds and Declarations past betwixt these Kingdoms, but also to the Law of God, and practice of his people in his Word, and to the Common Law and practice even of Heathen Nations, much more of Christian covenanted Kingdoms, &c. When the Forces appointed to be raised for defence of the Kingdom, together with the old standing Forces that were before on foot, were to be formed and drawn together in a Body, there were some differences in Parliament; one was, Whether the Malignant Party, and persons grossly scandalous should be excluded from the Army, or not? There were none in Parliament that had the countenance to plead for it directly; our constant Principles being known to be so expresse against it, and the Kirk having so often pressed upon the Parliament by many Petitions, Remonstrances, and Declarations, the purging of their Forces, but diverse would have had the Act for making up the Army to passe, without appointing any Committee, having power to remove such from the Army. Another difference was, Whether the Committee of Estates should have power to command the Army to invade England (as was done in the year 1648) or if there should be a limitation of their power onely to stand for the defence of the Land within our Borders. In this question likewise there were none that pleaded expressly for such a power in the Committee, but they opposed the limitation. Some time was spent in conference and debate about these, but they were so few in Parliament that were either against the exclusion or limitation, that when the sense of the Parliament came to be known, their number was no wayes considerable, so that what is here represented by the Authors of that Declaration against the Protesters, as the first step of declining, is in effect an evidence of their own declining from the former principles of State and Kirk, for both were then unanimous for exclusion of the Malignant Party and grossly scandalous persons from the Army, and against the invading of England, which



were the two questions in Parliament that did retard for some days the bringing forth the new levied Forces; for so soon as these two questions were ended, it was evidently seen there were none more forward in Parliament and Committees to hasten them to the fields, then these who are unsatisfied with the late publick Resolutions; and there was together at *Leith*, before the English Army marched into *Scotland*, so considerable a number of Horse and Foot, that they were double the number of the English. Surely no other thing but the change of principles, or groundlesse prejudice could lead men to quarrell thus for want of an Army to defend the Land, the great number whereof made the stroke at *Dunbar* the more unexpected, doleful & dreadful. This is the truth concerning what is laid to the charge of that faithful Parliament which met at *Edinburgh* in the year 1650, and whose endeavours to prevent extreams were answered with disappointment on both hands, which I trust doth sufficiently answer what is said anent the first step.

#### DECLARATION.

**T**He second step is set down thus: *When the Enemy had invaded us, and an Army was raised, under pretence of purging the Forces, and keeping the Kings Interest under due subordination to God, courses were taken, as after-actings made manifest, tending to the dividing of the Army, perplexing and discouraging the spirits of these who laboured to be faithful both to God and their King, and humoring up, and yielding to the untimorous and dangerous motions of such who were under suspicion of too much affection to the Enemy, and that not without cause, as is now too too evident.*

#### DEFENCE.

**I** Confesse it is to me matter of sorrow and astonishment to hear these words. Was not the purging of the Army from such of the Engagers as had not approved themselves in their repentance, a duty that all of us were solemnly engaged unto before the Lord? Had not the Generall Assemblies of this Kirk, and their Commissions before that time, given in above twenty severall Petitions, Warnings and Remonstrances to the Parliament and Committee of Estates for that end? Had they not issued Declarations and Warnings to all the Land concerning the necessity of that duty, as we desired

desired to prosper and be blessed of God? And had not all the Congregation of the Land kept severall Fasts and Humiliations by their appointment in order thereto? Had not the Parliament and Committee of Estates made Acts, and appointed Commissions there-ant, and taken the persons to whom Commission was given, to solemnly engaged and sworn to go faithfully about it, as they would be answerable unto God; and after all these things (in which many of the leading men of that Assembly at *S. Andrews* and *Dundee* were concurring and consenting) to hear the endeavours of purging of the Army, so reflected upon and spoken against; what is this but to proclaim against themselves, that either they did then dissemble, or else that now they are repenting of the thing which they did then concur in and were consenting to as a duty, but what ever be their thoughts of it, as these whom they now speak against did in the simplicity of their hearts then endeavour it, so do they still owne it as a duty, and are sorry to hear it otherwise spoken of; especially by these who profess love to Reformation. And I do as much wonder of that which they speak of the Kings Interest, seeing nothing was done in reference thereto, but the declaring of the due subordination thereof unto God's, and that they would not otherwise owne him and his quarrell, but in that subordination, and that they meant to fight upon the same state of quarrell upon which they had done these twelve years past, which was not done by any particular persons or party, but jointly and unanimously both by the Committee of Estates, and Commission of the Kirk, none dissenting, and was homologated by the whole Officers of the Army in a supplication to the Committee of Estates, and so far as did then appear, generally followed in their stations and capacity. This, together with the leaving that Declaration of the Commission of the Kirk, anent the subordination of the Kings Interest, out of the Act of the Assembly at *Dundee*, which ratifieth the proceedings of the Commission, speaks what spirit stirred in the Assembly when these things were penned and approven; but (say they) under pretence of these things, courses were taken for dividing of the Army, and yet they do not tell what these courses were at that time, but labour to find the evidence of them in after-actings, they did wisely to wrap up in generals, without condescending upon any particular, lest they should have therein been found out, but their generals are as easily denied, as affirmed. What is meant by after-actings, requireth



quireth explication, and somewhat over : If he can make this much out of the actions at *Hamilton*, which were their last field-actions. I shall wonder at his wit, to say nothing of his conscience. Who these faithfull ones to God and the King are, whose spirits they did so much labour to perplex and discourage, I do not know. I do as little know what were these untimous and dangerous motions, wherein such as were under suspicion of too much affection to the Enemy, were humoured in, and yielded unto. It may be remembered that as a great part of the Army was much weightied in their spirits, with the carriage of these, especially some of chief note, who did obstruct the purging of the Army, and gave countenance and encouragement to such as were, or should have been removed out of the Army; so the whole Army Officers and Souldiers, and the Committee of Estates were much perplexed, discouraged, and dissatisfied with the slackness, shiftings, and delays, and solitary counsels and courses of chief men in the Army, who had the leading of the Forces, and for most part did do therein, and dispose thereof as seemed best to themselves, without taking much notice either of the Committee of Estates or Officers of the Army; and none was more perplexed, discouraged, and dissatisfied with this way, then some of these who had a chief hand in penning this Declaration, in so much that having once spoken therein, they got so unsatisfying an answer, that with much discontent they did declare, they meant never to speak again in that matter. And it may be also remembred, that the untimous and dangerous motions of which they speak, were so far from being thought so when they were proponed, that it was the grief of many in the Army & Committee of Estates, yea and of Assembly-men too, who are supposed to be skilled in these things, that they were not entertained and hearkened unto, the truth is, never any motion of that kind made by any of these whom they call of suspected affection, from the day that our Army came together, untill the day that it was routed, was hearkened unto, unlesse they instance the in-fall at *Musleburgh*, but onely the half of that motion was followed for the Party which was appointed by the unanimous resolution of the Officers to make good their retreat, who made the in-fall, was not sent, which, whether it was faithfulness to God and the King, and to their Brethren, much of whose blood was shed, their own hearts who did it can best judge, as best knowing what were the induce-  
men

ments that moved them not to make the resolution of the Officers concerning the sending of that Party effectual. Other motions were made by these suspected men also, as to have fallen on at *Joger* and at *Dumbar*, to set behind the Enemy, and not before them, but were not hearkened to. It is well known who made the motion to draw the Army down the hill on Monday morning, and carried it by plurality of voices in a Council of War, which appointed it to be put presently in execution; yet upon a new conceit, without advice of the Officers, he delayed all that day till five at night that it was dark, and then he brought it down, contrary to the advice of the Officers. I trust they will not deny that this was a dangerous motion, and they cannot say, that any of these suspected men had a hand therein. Concerning the last words of that second step, let it be this day examined and considered, what hath been the carriage of these suspected men, and of their unsuspected men the Malignant Party, and it will at least be found very evident, that this Reviewer his suspicion is calculated to a wrong Meridian.

#### DECLARATION.

**T**He third step is in these words: *When after that sad stroke at Dumbar, the Lords dispensation did call for wayes of union and healing, instead of these, subtle courses were taken to engage a great part of the Well-affected in the West, to separate from the Forces of the Kingdom, whereby instead of joint concurring for acting against the Enemy, jealousies were begotten, and so far increased, that there was no small danger feared, lest the one part of our Forces should have fallen upon the other.*

#### DEFENCE.

**T**He plainest things, and which are acted with the greatest simplicity and integrity, are often branded with the name of subtle devices, by maintainers of an ill cause, who no sooner depart from their former principles, but they give to their opposers the very name, which (were the eyes opened of the Lord to see their own wayes) they should take to themselves. What subtle device could there be here? The Committee of Estates hearing before the defeat at *Dumbar*, that Forces were lying in the North of *England*, which were to come into *Scotland* by the way of *Carlisle*, they wrote Letters to the Western Shires to meet and correspond among

among themselves, and to be in readinesse for their own defence. This put them in some forwardnesse to rise in Arms, when they heard of the defeat, which being on the third of Sept. the Gentlemen of the Committees met upon the fifth, and had some of their number at *Sterlin* upon the sixth, who made offer to raise speedily a double proportion of the ordinary Levie, which was well accepted by the Committee of Estates, and Commission of the Kirk, and Letters of encouragement written from both, which are yet extant, and the Committee of Estates sent such Officers to conduct these Forces, as they knew to be most acceptable to the Western Shires. The Forces were raised by authority of the Committee of Estates, and were obedient to their Orders sent from time to time under the Lord Chancellours hand, which yet remain uncanceled, to witnesse against such calumnies: And there was never any command sent to them to come and joyn with the rest of the Forces, untill agreement was made by the State with the Malignant Party, and then Colonell *Montgomerie* was appointed to march towards them with some Forces under his command to require their conjunction, but before he came the length of *Sterlin*, Major Generall *Lambert* with a strong Body of horse had come to *Hamilton*, where he was fought against by the Western Forces, (though they were far inferiour in number) and many were killed of the Enemy on the place, but with the losse of the Day, and dissipation of the Western Forces, which put an end to many groundlesse jealousies.

#### DECLARATION.

**T**He fourth step they set it down in these words, *And to heighten differences yet more and more under fair pretences of exonerating their own consciences, and obtaining more clearenesse in the quarrell against the enemy, many whose intensions were honest were abused and drawn in the snare of a Remonstrance, whereby the owning of the Kings just Interest agreed unto by the Generall Assembly and the Parliament was expressly laid aside, and his removal from the exercise of his Royall Power and Government, advised to the Committee of Estates, the authority of the Committee of Estates much weakened, and a way of holding up a constant division from State and Kirk therein moulded.*

## DEFENCE.

**I**T is strange that these who maintain the Publick Resolutions, should judge it want of charity to accompt some men Malignants, notwithstanding their actions do evidently declare it, and yet do think it no breach of charity in themselves to judge other mens hearts and thoughts, contrary to their declared intentions, and whole tenour of their actions. If these men pretend to exoner their consciences, and seek more clearness in the state of the quarrell, when yet they did intend no such thing, but their reall purpose was, to advance the Adversaries Cause; Surely it was a grievous and intollerable provocation before the Lord, which he will finde out, that he may take vengeance of such hypocriticall inventions and gross dissimulation; but if their hearts were straight before him in all these things (of which they have a witness in Heaven, a Record in their own breasts, and their actions in adventuring their lives against the Enemy as a testimony before the world) they do them wrong who speak so of them, which is the more piercing, because it proceeds from some of these who were once as their guide, their acquaintance with whom they took sweet counsell together in the Work of God, and walked into the house of God in company, and yet do now allow them lesse charity, and give them lesse trust in their solemn and publick Professions in these things that relate to their consciences and the publick Work, then they do to the greatest Malignants in the Land, and the bloodie murderers who followed *James Grahame*: for they will have these upon their verbal professions to be accompted true penitents, and are filled with indignation against any who speak or write otherwise of them; but to mend the matter, and that they may not provoke too many of their old friends at once, they tell us, that the intentions of many who were honest, were abused and drawn in the snare. They would do a great favour to the whole Land, especially to simple ones, if they would be pleased once to condescend by name and surname, upon the subtilt ensnaring men that do abuse others, that they might be known and avoided. For these who were at the compiling of that Remonstrance, I know many of them to be men of great and good parts, but I know none of them that are very skilfull in drawing circles in the dark, and conjuring other men unawares within the compasse thereof; they are open  
 ingenuous

ingenious men, whose hearts and designs have alwayes been read in their professions and expressions, and these whom they call the abused and ensnared ones, are more intelligent and discerning men, then to be easily deceived; they are many of them eminent for grace and abilities, and such as have approved themselves in special trusts and employments relating to the Cause and Kingdome. It is true, that since the presenting of that Remonstrance, some of them did slip in a day of temptation, by passing from the same; but it is as true, that it is the matter of their humiliation for which they mourn before God, and some of them so much, that hardly can they be comforted. It is to me a great confirmation of the Remonstrance, that it was approved and accepted by the Lord as a necessary duty, that gracious men, who by the tentations of the time, and the perswasions of some whose judgements they respected, being drawn into a snare at *Sterline* to disclaim the Remonstrance, they were within very few dayes after, so challenged in conscience, that they had no peace of mind till they acknowledged their fault, and resolved to walk softly all their years in the bitterness of soul. The first thing that they challenge in the Remonstrance is, That the owning of the Kings just Interest, agreed unto by the Generall Assembly and the Parliament, was expressly laid aside, and his removall from the exercise of his Royall Power and Government advised to the Committee of Estates; but in this they do not deal fairly, not onely because they leave out the Reasons upon which this is offered to be considered by the Committee, which are very weighty and important; but also because they omit to tell, that the Gentlemen, Ministers, and Forces of the West, had no other meaning in the Remonstrance as to the Kings Interest, then what was expressed in the Declaration at the West Kirk of the 12. *August*, in the year 1650. In which the Committee of Estates, the Commission of the Kirk, and the Army, did unanimously joyn in their severall stations and capacities; in testimony whereof they were willing, and did often offer accordingly to clear and explain the same, if so be the Commission should forbear to give any sense upon it, and let un-biassed men judge if it was unreasonable to remonstrate this, upon the Kings deserting the Councils of State and Kirk, and joyning with the Malignant Party, contrary to the Covenant and Treaty. The next thing chal-

lenged is, That the authority of the Committee of Estates is thereby weakened; but it is not told how, belike it is meant because of the freedom that is therein used, in laying before them the sins and mis-carriages of sundry of these who were then in place and power, but the discovering and taking with of sin, doth not weaken but strengthen authority; that which hath provoked the Lord to dash our Judicatories in pieces, and to bring them to nothing, is, Because they have refused to take with their guiltinelle, and to *humble themselves under the mighty hand of God*. If the freedom that was used in the Remonstrance, in reference to Members of the Committee of Estates offend any, these four things would be remembred: 1. That what is therein represented, is known and undeniable truth. 2. That the Lord was calling thereto by his most dreadful stroaks. 3. That many were hardning and hab tuating themselves in sin. 4. That the men who spoke, were about to lay down th<sup>er</sup> lives, and therefore took liberty to speak all their hearts, that they might exoner themselves, and leave it as their testimony w<sup>ith</sup> others. The third is, that a way of holding up a constant division from State and Kirk is therein moulded, but nothing is said to make out this; and though some of the Remonstrators be judged and called subtle and designing men, yet as they did intend no such thing, so do I doubt exceed ngly if they be so quick-sighted as to see the strength of this inference that is made upon it; for my part, I see it not, and am content to be ignorant of it, untill it shall be discovered unto me.

#### DECLARATION.

**T**He fifth step is, *When notwithstanding of this perillous practice, all means of union of Forces, and healing of the breach was endeavoured by Church and State, yet union could not be had, except upon such conditions as the State and Church could neither in honour nor in conscience grant; whereby and through the dissipation of these Forces which adhered to the Remonstrance at Hamilton, the State and Church were necessitated either to render all up to the present rage of a perfidious and prevalent Enemy, or to make use of such as had been formerly received to repentance for their sinfull courses, and admit others to repentance, from whom satisfaction might be gotten, agreeable to the Rules*

of



of the Generall Assembly, that all together might be employed for the just and necessary defence of the Cause and Kingdom, their naturall interest, obligations, and solemn ties by Covenant calling for the same.

# DEFENCE.

**L**Et it be considered what these conditions were which the Church and State could neither in honour nor conscience grant. As for the Kings exercising of his power, the Remonstrators did declare, that they had in humility propounded their judgment and the reasons thereof unto the Committee of Estates; but it was in their power to hearken unto them, and to do so, yea or no, as they thought fit; and that if they should not be pleased, still to debar the King from the exercise of his power, as he had been formerly, they would not refuse to live peaceably under him, as the Magistrat of the Land, only two things they did desire in order to their uniting with the Forces of the Kingdom: 1. That the quarrell upon which they fought, might be stated as in the Declaration of the 13. of Aug. 1650. 2. That there might be one to command the Forces, qualified according to the solemn Engagement unto duties, to wit, of a blameless and Christian conversation, and of known integrity and constant affection to the Cause of God; both which conditions were refused. Now, I would faine know a reason why these things might not be condescended unto in honor and conscience. Was it lesse honour or conscience to state the quarrell in November 1650. according to the foresaid Declaration, then it was to state it in August immediately preceding? Had any thing occurred in order to the King for altering the state of the quarrell, and making it more favourable as to him, or rather, was there not something to the contrary, to wit, his deserting of the Judicatories, giving of Commissions to the Malignants, and joyning with them? Or was it contrary to honour and conscience to satisfie them in the other? Or did not both honour and conscience binde them to it? As to the imploying of the Malignant Party, there is so much said in a particular Treatise to demonstrate the sinfulness of it, as also that there was no necessity for it, that I shall not now insist upon it, only I desire that to be taken notice of, which they say of making use of such as had been formerly received to repentance

tance for their sinfull courses, and admitting others to repentance from whom satisfaction might be gotten, agreeable to the Rules of the Generall Assembly, that all together might be imployed. Which words import, that as they did require repentance in all these who were formerly excluded, and were now to be imployed; so also that care was taken to receive none but such as satisfied according to the Rules of the Generall Assembly, both which are spoken *grain*, and without ground. The first, because in answer to the *Quere*, and in the Warning penned for the strengthening of it (which two were the foundations of imploying these men) there is no word of repentance, or satisfaction as necessary requisites in these who were to be imployed in the defence of the Kingdom, and of the Cause, but the exceptions in the Answer exclude onely excommunicated persons forefaulted, notoriously profane, or flagitious, and such as have been from the beginning, and continue still, or are at this time obstinate and professed enemies and opposers of the Covenant and Cause of GOD; and most, if not all the Arguments in the Warning run for imploying all men who are Subjects without any such qualification. The last because the order prescribed by the Gen. Assembly. was not kepted in receiving of them: That Order (as is evident from the Act of the Assembly 49. concerning the receiving of Engagers) is, "That because many heretofore have made shew and profession of their Repentance, who were not convinced of their guiltinesse, nor humbled for the same, but did thereafter return with the dog to the vomite, and with the sow to the puddle, unto the mocking of GOD, and the exceeding great reproach and detriment of his Cause: Therefore for the better determining the truth & sincerity of the repentance of those who desire to be admitted to the Covenant and Communion, It is appointed & ordained, that none of those persons who are debarred from the Covenant and Communion shall be admitted and received thereto, but such as after exact tryal shall be found for some competent time, before or after the offer of their repentance, according to the discretion of the respective Judicatories, to have in their ordinary conversations given reall testimony of their dislike of the late unlawful Engagement, and of the courses and wayes of Malignants, and of their sorrow for their accession to the same, and to live soberly, righteously and godly; and if any shall



"shall be found, who after the defeating of the Engagers, have uttered any malignant speeches tending to the approbation of the late unlawfull Engagement, or the bloudshed within the Kingdom for promoting of the ends of the said Engagement, or any other projects or practises within or without the Kingdom, prejudicial to Religion and the Covenant, or tending to the reproach of the Ministry, or the Civill Government of the Kingdom ; or who have unnecessarily or ordinarily conversed with malignants and dis-affected persons, or who have had hand in, or accession to, or compliance with, or have any wayes countenanced or promoted any malignant design, prejudiciall to Religion and the Covenant, that these, notwithstanding their profession of repentance be not suddenly received, but a competent time, according to the discretion of the Judicatory be assigned to them for tryal of the evidence of their repentance, according to the qualifications above-mentioned.

Now let Consciences speak, whether this order in receiving these men was observed yea, or not ; yea, it was so far from it, that they were received without such evidences in a very rash and precipitant way, unto the most manifest mocking of Repentance that hath been heard or seen in any Church in the world, many of them flouting and jeering at the Judicatories of the Kirk, and one at another, and making sports of their Confessions amongst their companions, and giving as much evidence of their malignancy and prophanity and hating of godliness in their speeches and carriage as of before : Did not the Commission make such hast to receive these who had broken out in Rebellion, and risen in Arms against the Cause and Kingdom after *Dumbar*, that notwithstanding they had once by an Act remitted them all for censure to the Gen. Assembly, and intimated the same to Presbyteries, that they might not be admitted to the renewing of the Covenant or Communion, till the Assembly should judge of their case ; yet they did after the Answer to the Quere make a new Act for receiving them, to the great offence of the godly, and exposing of their own Authority to contempt and reproach.

DECLA-

## DECLARATION.

**T**He 6. Step is set down thus, *Norwithstanding some men had thus occasioned the making up of our Forces as they now are, yet not only did they themselves refuse to joyn with them, but opposed by all means possible the raising of the Army according to Publick Resolutions, what by preaching, what by writing, what by branding honest men (many of whom did bear the burden and heat of the day when others were not) with the odious imputations of back-sliding, Covenant-breaking; and what not? Publick Fasts were separated from and contemned, Factions drawn amongst the People; in a word, no means were left unessayed to make Publick Resolutions in order to the raising of the Army ineffectual, without holding forth any possible or probable means for the relief of the Kingdom: All which (what ever have been the intentions of men) do of their own nature contribute no lesse effectually to the delivering up of all to the will of the Enemy without stroke of sword, then if it had been purposely intended.*

## DEFENCE.

**P**Rejudice stretcheth far to reach a blow. Albeit it is here asserted that some men did by all means possible oppose the raising of the Army, according to the Publick Resolutions, and that they left no means unessayed to make these Resolutions ineffectual for raising of the Army, yet they must be the men who thus occasioned the making up of the Army as it was: How this should be I do not well know, unless it was by an *Antiperistasis*, as heat sometimes occasions cold, and cold, heat; or, as the preaching of the Gospel occasions war upon the earth. It is like enough that the Testimony which was born against that way did irritate mens corruptions and make them more violent and head-strong in the prosecution of the same. But their meaning happily is, That these men did oppose the union of the Forces, or would not suffer others to rise for the defence of the Kingdom and Cause, and so put the Committee of Estates upon a necessity of employing of these. To joyning of the Forces we have spoke before, and shewed upon what terms they were willing to have joyned, and that there never came to them any Order or Command from the State for conjunction, and for the other, until there was stumbling-blocks put in their way by the Publick Resolutions; they were so far from hindring any, against whom there was not just exception, that they were

were willing to employ themselves to the utmost in defence of the Cause and Kingdom, and gave abundant proof thereof from the time they first took up Arms until the month of *December*, that the Lord was pleased in his wise dispensation to break them at *Hamiltown*. The Publick Resolutions being contrary to the Word of God, and to the Covenant, and to the Actings and Proceedings of both Kirk and State in the Cause these many years past, and involving so sudden and gross a change both of Principles and Practice, gave occasion to many gracious ones throughout the Land to stumble, and to many Ministers to bear Testimony against them both by preaching, and by writing their minds to the Commission of the Kirk, and to others of their Brethren as they had opportunity: Upon which occasion also it was that many were necessitated to withdraw from such Fasts as did involve an approbation of these Resolutions; and what was in all this but duty? May not, yea, ought not the servants of God, Ministers and People bear testimony against declining and backsliding, and study to keep their own garments pure, and refuse to say a confederacy to wicked men in the Interests and Cause of God. It is a shrewd insinuation that is made of their drawing factions amongst the People, as if they had stirred the People to sedition, or to tumults: The utmost length which Ministers went, was to hold forth the sinfulness of that course, how contrary it was to our former Principles, how it would help to hasten on more wrath; or if it did seem to prosper, how dangerous it would prove to the Cause and People of God by setting up of such as had been, and still were adversaries to both, and the greatest length which People went, was, To profess their dislike thereof, and without tumult or faction to withdraw, or in a sober and modest way to refuse to concur, because they had no clearness nor satisfaction in their consciences concerning these Resolutions; withal, they did clearly declare their judgments against the Invasion, and for the defence of the Cause and their Country, and their readiness to concur in all lawful means, according to the Word and former Principles for that end. If any who had been formerly honest, and born any part of the burden and heat of the day, were branded as back-sliders, it was not so much by Dissenters from the Publick Resolutions, as by the multitude of that generation with whom they did associat, I mean the Malignants who did not spare openly and every where to say, That

these honest men were now come to them; as for others, though they cannot so vindicate themselves as to say that there is none amongst them who doth at any time speak rashly or unadvisedly with his lips, yet the Lord knows it was the grief of their hearts that honest men should have fallen from their integrity; and though they could not chuse but bear Testimony against their sin, yet they did it as afflicted in spirit, keeping reverence, respect, and affection unto the men themselves, and had the iniquity been private, they would most willingly have covered the shame thereof; but it was publick and such as did relate to the publick Cause, and wherein their consent and concurrence was desired, and therefore they were forced to speak, and not to suffer sin upon themselves nor upon their Brethren. There is yet one thing remains, That whilst no means were left untried for making of Publick Resolutions, ineffectual that no possible nor probable mean was holden forth for the relief of the Kingdom; if it be meant as to the time when these Resolutions were first taken by the Commissions Answer to the Parliaments Quere, there could nothing of that kind be then holden forth by such as are dissatisfied with those Resolutions, because few or none of them were present, advertisements not being so much as sent to many of them, and the time being so short that others could not come upon the advertisements which were sent to them. The advertisement came to *Sterling* upon the Tuesday, to be dispatched unto all the Presbyteries in the West; that their Commissioners might keep at *Perth* upon the Thursday immediately following, which day could not probably be but past before the advertisement came at most of them, it being in the depth of the winter season when the day was at the shortest, and by such bearers as was not fixed, or sent of purpose, but by such as were occasionally going to those places for other business; yea, suppose the utmost diligence imaginable had been used, it had not been possible to send these Advertisements from *Sterling* to the Commissioners of these Presbyteries in the West, in so short a time; and these Commissioners thereupon to have kept the Diet at *Perth*, as any who knows the distance of these places, will easily acknowledge, it being above forty miles betwixt *Perth* and *Glasgow*, which is the nearest of the Presbyteries of the West, the rest of them being a good deal more remote, some of them three or four score miles: And if it be meant, that after the taking of these Resolutions

solutions, no possible nor probable mean was holden forth by these who did object against them, it was to no purpose then to do it, the Authors and Abettors of them being so zealous for them that they would admit of no objection to the contrary, much less be content to wave these Resolutions, and go to a calm and peaceable enquiry about other possible or probable means of defence; and yet, as before the taking of these Resolutions, the possibility and probability of other means had been often holden forth, so was it also holden forth after the taking of these Resolutions. To say nothing of Treary and Conference (which was moved by some, but peremptorily and bitterly rejected by others) the possibility and probability of getting an Army, without employing and entrusting of the Malignant party, was holden forth, and they who did assert otherwise, did a great deal of wrong to the Kingdom and Kirk of Scotland, and make them too much malignant. It is true, they were considerable for number, power and policie, who were and ought to have been excluded; yet were there as many besides as might have been means competent, in rational prudence, for defence of the Kingdom and Cause, especially in a Nation covenanted with God, which ought to be tender in all their wayes, and to stay themselves, not upon Horses and Chariots, but upon the Name of the Lord. After the setting down of all these things, they are pleased to assert, That they do of their own nature contribute no less effectually to the delivering up of all to the will of the Enemy, without stroke of sword, then if it had been purposely intended. As no evil cause can of it self produce any good effect; so neither can any good cause of it self produce an evil effect; good and evil being contrary in their natures, and the one not natively arising out of the other: What was done in these, was duty and good in it self, and therefore had no connexion in it self with any evil thing that is charged upon it: when I read this charge, I remembered the challenge of the Priests of Judah against the Prophet *Jeremiah*, That he weakened the hands of the men of war that remained in the City, and the hands of all the People; and that he sought not the welfare of the People, but their hurt; *Jer.* 38. 4:

## DECLARATION.

**T**He last step is set down in this answer to the Protestation; but because it is ushered in with a large Preface that is not mentioned in this Answer, therefore I shall speak somewhat also to that, the words are these: 7 Notwithstanding of all which intolencies, The Commission of the last Generall Assembly carryed themselves with much clemencie towards their chief opposers, not onely forbearing to censure them, though it was within the bounds of their Commission so to have done, but also lest their own Presbyteries should have proceeded to severity to censure, they appointed to cite them to the Generall Assembly, that after calm debating of the matter, and liberty given them to propound the grounds of their dissatisfaction to the full, they might either receive satisfaction, or otherwayes such courtes for healing might be taken, as the Generall Assembly in their tenderness towards pietie, and those who are pious, and in zeal to the distressed Cause and Kingdom, should think fit; but they unwilling to have their opinions brought to the touch-stone of the Word of God, and solid reason in a free Gen. Assembly, did content themselves to have protested against the Act of the Gen. Assembly, approving the proceedings of the Commission of the Kirk, if so be after debating on both hands, such an Act should have been made: but before the main point of difference was so much as once debated, far less any conclusion past upon it, some of them did protest against the determination of the Assembly in that particular, as if they had stood in no need of farther information from the debates of learned and gracious men which were to be had upon it in the face of the General Assembly and others of them by an unparalleled practice (except that of the perfidious Prelates at the Generall Assembly at Glasgow, who mind the overthrow of all Assemblies for ever) did absolutely decline the authority of the Generall Assembly, protesting against it as null, &c.

## DEFENCE.

**I**T is in the first place denied, That the Commission of the Generall Assembly had any power at all to censure any of these who did oppose these publick Resolutions, because their power as it was only in things committed unto them by the Assembly, so were they



to walk in the administration thereof; and to exercise the same according to the Acts and Constitutions of this Kirk; but there was then no Act nor Constitution of this Kirk appointing the opposers of such Resolutions to be censured, that Vindication to much cryed up in this Review, doth acknowledge, that these Resolutions were *indeterminati juris*, or things not then determined in Law by any Act or Constitution of this Kirk, and therefore seems to yield, that the Commission had no power to censure the opposers of them; yea, there are many Acts and Constitutions of this Kirk; as hath been often shewed, expressly condemning these Resolutions; and ordaining and appointing Ministers under the pain of censures, not to be silent, but to bear testimony against the same, as will appear to any who shall be at the pains to read the Acts, Warnings and Declarations of Assemblies, especially since the late Reformation. What their clemencie was in the exercise of that presumed power, is holden forth in the Answer to the Vindication of the Assembly at *St. Andrewes* and *Dundee*, in which is shewed from their own Records, that they did not only emit and send abroad Warnings to be read amongst the People, wherein they did apply most of the Characters of the old Malignants to such as were unsatisfied with, and did bear testimony against these Resolutions; but also did declare them to deserve censure by the Civill Magistrate, and stirred up the Magistrate to inflict that deserved censure, and made Acts and sent to all the Presbyteries, requiring and appointing them to censure the opposers of these Resolutions within their bounds; and as to the citing them to the Generall Assembly, lest their own Presbyteries should have proceeded against them. I confess it would almost stir a patient spirit to hear such things asserted. If they did not intend that Presbyteries should censure them, why did they long before that time make an Act, and send it to Presbyteries, requiring and appointing them to censure them without any limitation of the censure, as to the point of severitie. Was there so much as a title of that reason in their Act, for summoning of them to the Assembly, or for forbearing to proceed in the Proccesse of any whom they were begun to proccesse. It is more notoriously known, then can be gotten warrantably denied, That that citation was not in order to that end, but that they might be secluded from being Commissioners to the Assembly, or sitting therein as Judges of the Publick Resolutions. 4. There were but few Presbyteries

byteries who had then some that length; as to proceed to any censure against such; and many Presbyteries were of the judgment, that such as were for the Publick Resolutions, deserved to be censured, and not the opposers of these Resolutions; yet that Order for citation was sent to all the Presbyteries in the Land. The cure seems as evill, if not worse then the disease, to cite them before the Assembly; was to put them on the Stage before the Supreme and most Publick Judicatory in the Land, as guilty and worthy to be condemned in the most Publick way, if they could expect nothing but severity of their Presbyteries; in many of which they had many of the same mind with themselves, (yea, in many the plurality was of their judgment.) what could they expect in the Assembly, from which almost all such were excluded by the Letter and Act of the Commission, prohibiting Elections. The Assemblies proceedings did make it manifest what course they found there, some of them being actually censured with Suspension, and others with Deposition; and a foundation laid, & Acts made for censuring all of them. It was strange that they should be cited to the Assembly to receive satisfaction; when the Assembly had not yet concluded, that what they did hold, was wrong; and contrary to truth and sound doctrine; sure the Commission having no former Act of any former Assembly approving of these Resolutions, as is acknowledged by the Author of that Vindication; they did fish too far before a hank, to cite men to the Assembly, to receive satisfaction thereat. This favours too much of pains taken, and endeavours used, to prelimit the Assembly, and modell it after their own mind. That some did protest against the approving of the Proceedings, of the Commission of this Kirk before the Assembly did make any Act ratifying the same, was not from any unwillingness, to have their proceedings tryed by the touch-stone of the Word, or to receive light from any gracious & godly in that Meeting; but upon persuasion that these Resolutions were contrary to the Word, and that the far greater part of the Members of that Meeting, had upon the matter gone very far to declare themselves as to the approving of these things before the tryall, of them, because it being objected against these Members of the Assembly, who were Members of the Commission, that they had carryed on a course of defection, and it being offered to verifie the same, and thereupon desired that these Commissioners might not be admitted to sit as Members in the Assembly,



sembly, till that matter were tryed; it was refused, and notwithstanding of the exception timeously propounded and offered to be instructed; they were before the taking tryall thereof, allowed to sit, which was in effect to reject the exception, either as irrelevant in Law, or as false in fact, and in to approve them before tryall; yea, they were admitted to sit as Judges in their own cause; for the Protestation being particularly founded on the sinfulness and unwarrantableness of their proceedings, yet they were allowed to sit as Judges, and to condemn the Protestation as destructive to the Government and Liberties of this Kirk; and censurable with the highest censure thereof. Upon the 23 of July 1651. notwithstanding their proceedings were not approved till the day after, which was the 24. But what business was it, that others of them did absolutely decline the authority of that Assembly, and protest against it as null; was a practice that hath many commendable and praise-worthy parallels in this Church; and therefore they do speak more from their own spirit, then from the spirit of truth, who cry out, that it hath no parallel, but that of the perfidious Prelats. The Declinators of the Prelats against the Assembly at Glasgow 1638. as any who pleaseth to read the same will find, that it doth strike at the root of Presbyterian Government and General Assemblies, in regard of the essentials of their constitution; but the Protestation doth acknowledge and plead for the Government, and for the due liberty and freedom, and right constitution of Assemblies, according to the rule of the Word of God, and Acts of this Kirk, and doth only bear testimony against, and decline that Assembly, because of unwarrantable preliminary of the Elections, admitting of persons under scandal before trying of them; admitting of the same men to be both Judges and Parties; want of free access and recess; absence of many Commissioners; want of freedom in voicing, denying to hear what was offered for, holding forth of light, whereby it appears that there is little confidence and ingenuitie, and lesse charity in making of that parallel. But the History and Acts of our Church do furnish us many just and true parallels of this practice in the carriage of the faithfull witnesses of our Lord, in our own and our fathers dayes, who have stood to plead for the Doctrine, Government, Worship and Discipline of this Kirk. I shall onely name a few. The first is in the year 1597. at which time the Commissioners of the Generall Assembly having

having contrary to the trust committed to them in these intervalls betwixt Assemblies, petitioned and obtained from the King and Estates of the Kingdom, that Ministers should sit in Parliament as the third Estate (which was the foundation of our Peccacie) their proceedings in that Petition, and the thing relating thereto being approved in the Assembly by the prevailing influence of the King, and these Commissioners, notwithstanding of the reasons propounded against the same by sundry of the Ministerie, *Mr. John Davidson* a most worthy and pious Minister of this Church, indued with the spirit of Prophecie in many things, and as anti-prelatcall, and truly tender of Presbyteriall Government, and of the authoritie of Assemblies, as any this Church hath brought forth, did solemnly protest against that Assembly, as not free and lawfull: to which Protestation *Mr. David Calderwood*, a zealous maintainer of the Government of this Church, and a constant adversary to Prelats, & an unsuspect witnes in this present controversie, declareth in his story, his own adherence & the adherence of many of the most sincere Pastors and Professors of this Kirk, as seeing the beginning, and fearing the growth of that defection. Likeas he did often from that experience, expresse his fears, and thereupon his opinion against putting too much power in the hands of a Commission, and prognosticated a defection to ensue thereupon, whensoever the King and the Court should have influence upon the leading men thereof, concerning which he hath not been mistaken. 2. Did not many worthie Pastors and Professors of this Church, protest against the corrupt Assemblies, annulled by the Assembly at *Glasgow*, sundry of which Protestations are to be seen in the Book, called, *The searle of Conformity*: but our Predecessours Supplications, Reasons, Admonitions, Protestations presented to the Parliament 1617 and 1621, be considered, wherein they asseert the Assemblies then controverted, to be unlawfully constituted, and to be but pretended Assemblies, though no authority had declared the same. See also the Observations Printed 1635, with the grievances given in by the Ministers to the Parliament 1633, It is here well said, that the safety of Religion dependeth not upon Assemblies of whatsover kind, but upon the liberty of free, and right constitute Assemblies, at in the Commonwealth, be were not, so he thought a faithful Patriot who would not stand as much for the liberty of a Parliament, as his own possessions, because the safety of all other liberties standeth in the

preservation of that main Liberty. 3. did not these whose spirits the Lord stirred up to appear against the Prelates, and to set on foot the Work of Reformation in the year 1697, expressly declare their adherence to all these Protestations made by their Fathers and Predecessors, declaring the nullity of these corrupt Assemblies, and thereby establishing the Declinatours against the same before the Assembly at *Glasgow*, which practice was as strangely looked upon, and as much spoken against then, as the practice of the Protesters in the year 1651. 4. Our National Covenant doth both mention and allow these Protestations against that whole course of Defection; whence it appears that that practice at *Dundee* hath many, both very worthy Precedents and Parallels; and that to protest against corrupt Assemblies (such as that was) hath been so far from being looked upon by discerning faithfull and godly men in this Kirk, as the throwing down of the hedge of Discipline, and making way for every beast of the forrest to break in, as this Reviewer alleadgeth; that they have used it as one of the best means for preventing and remedying of these evils, and so it is indeed, because as it is well observed, and truly Asserted in the great Act of the Assembly, concerning the bygone evils of this Church, and the Remedies thereof, that the keeping or authorizing of corrupt Generall Assemblies hath been one of the main causes of our evils; by these it was that the Prelates, and all the train of superstitious Ceremonies did enter, and having had such worthy precedents, in opposing of such and such doolful and dear bought experiences of the wrong they have done to this poor Church, there is the greater reason to take heed to stand fast in the liberty wherewith CHRIST hath made us free, and not to be again entangled with the yoke of bondage of corrupt Assemblies.

It is added, that the grounds of that Protestation at St. Andrews are frivolous and false, and such as makes the Authority of all the Assemblies of this Kirk since the begun Reformation to be called into question upon the same or the like presences; and for making out this, the Author of this Refutation remits his Readers to a piece, intituled, *A Vindication of the late Generall Assembly which he doth here commend as modest, solide, and judicious*, and afterwards, as a piece not yet answered, nor easily answerable. It

were a great deal more convincing and commendable to demonstrate the grounds of that Protestation to be false and frivolous than to call them so, and do no more: That Vindication hath indeed in it more modesty and solidity and judgement and nerves than this Refutation and Review; as we acknowledge and reverence betwixt the men from whom these proceeded, so also betwixt their writings, yet if even indifferent men be not mistaken, it wants much of that modesty that had been suitable, and that solidity and judgement and nerves are in it: As to the Vindicating of the freedom and authority of that Assembly, and shewing the frivolousness and falshood of the grounds of the Protestation against the same, may appear by reading and pondering of the Review of that Vindication, in which the strength and truth of the grounds of the Protestation are convincingly established and cleared, and the many great mistakes of the Author of that Vindication, both in matters of judgement and matters of fact are discovered, and the Protesters eased of the burden of many heavy things laid upon them. I might say more for that Review, but it needeth not my commendation: I suppose it shal not want that from Adversaries. As to that which this Refuter saith of the *diavels design of division*; I shall easily grant that division amongst Brethren is an evil thing, in which the diavell hath indeed a design, and an active hand, but that subtle serpent sometimes gains by Union as well as by division, and therefore is Satan as loath to be divided against Satan as he is desirous to divide the Children of God amongst themselves, and when he gets a multitude going in a wrong way, he can as much plead for Union and Peace, and against division as any. As it hath been the grief of the Protesters souls to see their Brethren divide from their former good and sound Principles, so did they, and do hold themselves bound to adhere and cleave thereto, though never so many should forsake them therein, and cry out upon them because they wil not follow a multitude to do evil. There is in the same place a despicable exaggeration of the giving in, and publishing of the Protestation against the last Assembly at *Edinburgh*, as an *Act of Satans* in which he did add violence so despicable, &c. It is not good to meet reproach with reproach; I shall onely say that what the Protesters did therein, they did it with sad hearts, and not till a necessity of duty did constrain them thereunto, because of a most

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wilfull and peremptory refusall of any Conference in order to Union and peace, before the assuming of the power of an Assembly, notwithstanding that the same was most earnestly desired, and much pressed, not onely by the Protesters themselves, but also by some of the most judicious godly and eminent men of that Meeting, and after that it was clearly holden forth to have been agreeable to the practise of former Assemblies, and that it could have brought no apparent prejudice to the cause of these who were most zealous for the sitting of the Assembly, unlesse it was to have put them to the charges of staying some few dayes longer in the Town. It is well he acknowledg's that *it was done by men who were eminent in our Assemblies.* It seems when a testimony to their eminency in Assemblies can contribute for the aggravation of the supposed offence, his heart can give it unto them; but when the denying can make for weakening their cause he can studiously depreesse them, and study so far to undervalue them, as that men should accompt them nothing, as he doth in the 12. page of his Pamphlet. It is indeed true, that not a few of these who had hand in that Protestation have been in our Assemblies, and upon the account of this mercy among others, they did hold themselves the more bound to plead for the freedom of Assemblies, and to bear testimony against the corrupt ones at *St. Andrews* and *Easburgh.* That it was done in *the City of our solemnities, and in the face of the Assembly,* was because, where the carcass is, thither will the Eagles resort; the trepasse was there, and so behoved the testimony be there also. That it was put to the Presse albeit I see not the fault in so doing, they against whom it was given in, having now constituted themselves, and being sitting openly and avowedly in an Assembly, yet I am confident there was no resolution taken, nor order given by the Meeting of the Protesters for so doing; But private Copies were taken, and who was obliged to hinder such as pleased to cause print it; when some of the number heard that it was in Printing, they desired and endeavoured that it might be stopp'd, till they should see the issue of the conference, that then was betwixt some few of both sides; the Copies were not published till the next day after, that conference was broken off, and business as to that time rendered in all appearance hopeles as to an agreement, because the Assembly had now passed an Act for ratifying

tifying the proceedings of the Commissioners appointed by the Assembly at *Dundee*, which did include the Publick Resolutions, and had also signified what length they meant to go in order to the differences betwixt us and them, which was onely to take censures off these Brethren who had been censured by the Assembly at *Dundee* because of their Protestings, and to declare that others involved therein, and in the Protestation against the Assembly at *Edinburgh* should not be censured, providing that they would judicially under their hands passe from these Protestations, and engage themselves to forbear meddling in the grounds of these differences, by Preaching, Writing, or otherwise, which did import a standing of all their Acts at *Dundee* concerning the Publick Resolutions, and the opposers of the same, and a passing from, and revoking of all the Testimonies given against the Lands backsliding, and an engagement to forbear for ever hereafter; to say that Kirk or State had sinned in these Resolutions, and these were the bowels of *Christian Condescendence*, of which this Member of that Assembly at *Edinburgh* speaks, the sum whereof is a pardon upon Repentance, or rather an hire upon Compliance, a forbearing to afflict and persecute any more, providing that we will abandone the Truth, and call good evill, and evill good; but we dare not be accessory to the receiving such wages of unrighteousness, let us rather suffer then sin, and lye under, or be put under censures with a good Conscience, then be freed from them with an evill conscience.

I have now answered what is said against the Protesters, in that Declaration of the pretended Assembly at *Dundee*, which this Reviewer and Refuter mentioneth with so great commendation and applause; And seeing these who have declined from their former Principles, have made it their work to endeavour to discover steps of defection in those who have writtessed and protested against the Defection that hath been in this Land; which was the usual way of the Prelats against Non-conformists in former times. I shall, for making a clear discovery, go nearer to the spring-head and rise of our differences, then this Reviewer and his friends of the pretended Assembly have done, who would shroud themselves in some particular windings and turnings of affairs, by which they would amuse simple understandings, but they keep a great distance from the fountain and beginning of our divisions, and are loth to remem-  
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ber where we were once, and wherefore we parted : Therefore I shall shortly set forth some few steps of the late Defection and declinings from our former principles, and let indifferent men judge who have been the Authors, and are to this day the Abettors thereof. Since the time that the Lord began a work of Reformation, in the year 1637. there hath been a constant harmony amongst the Lords People, and in all Proceedings, Declarations, and Publick Actings of State and Kirk, gr. at unanimity against the Malignant party and their Interests : And though in the year 1648. the State declined, yet the Kirk, and body of zealous Professors in the Land, remained stedfast in their principles ; and after the defeat of the Forces that went into *England*, the whole Land did for their further confirmation in the Lords wayes, enter into a solemn Acknowledgment of sins, and Engagement to duties, at the renewing of the Covenant, which was about the end of that year. In the year 1649. there was great concord betwixt Kirk and State, both adhering to their Principles, and the Lord wonderfully blessed their Councils and Forces ; as also in the beginning of the year 1650. And whatever secret under-hand dealings there were for the promoting the Malignant Interest and Conjunction with that party, yet it was little known to the far greater part in Judicatories of State and Kirk, who (I am confident) went on in the simplicity of their hearts in their proceedings, studiously desirous to avoid the splitting on the rock of Malignancy, as well as the rock on the other hand.

The first visible step of declining that was taken notice of by the generality of zealous Professors in the Land, was that transaction made at *Bredab* with the King, by the Commissioners of State and Kirk, expressly contrary to their Instructions: and notwithstanding both State and Kirk did unanimously signify their great dissatisfaction therewith, and declared against the said agreement in many particulars, especially in reference to Malignant Interests and designs, and conjunction with that Party ; all which was made known to the said Commissioners by Letters and Declarations from State and Kirk, which were delivered unto them before the Kings coming from *Holland*, yet without so much as acquainting the King therewith, they brought him on shipboard, and alongs with him, the chief of the Scottish and English



glish Malignants, known enemies to the Cause and Work of Reformation. ( I do not charge all the Commissioners as equally sharers in the guilt of that sad transaction, for which the Land sutt reth and lamenteth to this day, I know that such of them as had least hand th rein, have been most ready to acknowledge their offence; and that these who were most guilty, do stand for their own justification, which aggravates their sin both before God and men) as to that which was done afterward, sad experience hath taught us, that it was but a pitifull after-game they made in their second Treaty, while the King was at Sea, immediately before his landing in *Scotland*, and it was so far from being a remedie, as it hath proved an in-let to further transgression and misery.

The second step of defection was, That these Commissioners when they were come home, being desirous to maintain their own credit, dealt not faithfully in giving a true account of their proceedings to the Parliament and Generall Assembly, but concealed many things of consequence, and smoothed and varnished their report of Proceedings with fair generalls, whereby both the Parliament and Generall Assembly were deceived, and induced to allow and ratifie their Proceedings.

The third step was, That when after *Dumbar*, the King had given Commission to the Malignant Par y to rise in Arms, and upon their rising had deserted the Councils of State and Kirk, and gone away to joyn with that Party, the State did send for the King, and forthwith admit him to have the chief hand and Government in all their Councils and managing of Affairs, from which upon weighty considerations he had been still debarred formerly by the State, upon advice w th the Kirk, and not many dayes after his return, matters were so conveyed, as an agreement was made with these wicked and bloody revells; and not onely their present rebellion and band into which they had entered among themselves, but all their former transgressions were passed over by the State, and in that transaction also, there was a foundation laid for imployment of them in places of trust. It is true, that the Commission of the Church gave some testimony against these proceedings, the consciences of diverse of that Meeting being then offended with so grosse declining, but afterward through the great  
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opposition they met with, were much blunted.

The fourth step was, That as the Kirk and State began to grow in their favour and respects towards the Malignant Party, this new friendship begat an alienation of their hearts from honest and faithfull men who gave testimony against these corruptions; for usually conjunction with Gods enemies is attended with persecution of his friends; and therefore the Western Forces being dissipated, and great hopes conceived of the assistance of the Malignant Party, both State and Kirk did condemn the Testimony given by the Gentlemen, Officers, and Ministers in the West, in their Remonstrance to the Committee of Estates; notwithstanding that in a Meeting of the Commission of the Kirk at *Sterline*, that Remonstrance was cleared and vindicated, and all objections against it were so fully answered by Members of the Commission, as the chief opposites thereof, had no more to say against it, but were silent; notwithstanding also that some of the Gentlemen gave in a Supplication to the Commission, wherein they desired, that before any censures passed thereupon, these that were concerned therein might be allowed a due hearing, and that a convenient diet might be appointed, at which they were very hopefull to remove all mistakes, and clear it from all sinister interpretations.

The fifth step was, That some leading men of the Commission did convene extraordinarily, a small number of the Commission of the Kirk, few above a *Quorum*, to make an answer to the Parliaments *Quere*, viz. What persons ought to be employed in Arms for defence of the Kingdom, and slighted sending of timeous advertisement to such as they knew would oppose their designe of bringing in the Malignant Party, to be Guardians of the Cause and Kingdom, which formerly they had endeavoured to destroy, and with great haste and precipitation, concluded an answer to that *Quere*, and laid a foundation for present conjunction with the Malignant Party, contrary to the Word of God, and to the Covenant, and to our known principles clearly expressed in Acts and Declarations of this Kirk.

They did not rest here, but in the sixth place they put forth exhortations and Warnings, wherein they threatened all these who are unsatisfied with, or do oppose the Publick Resolutions with punish-

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punishments and censures to be inflicted by Judicatories, Civill and Ecclesiastick, respectively; Y<sup>e</sup>, they proceed farther, to apply against such the Characters of Malignants, and to stir up the Civill Magistrate against them, and Presbyteries to censure them, and the Act which the Commission had made for referring the Malignants that had risen in Arms, to the next Generall Assembly: and in the mean while suspending them from the Sacrament, was by themselves revoked, and in their stead faithfull Ministers of unquestioned integrity, who were unsatisfied in conscience with such Malignant proceedings, were appointed to be cited to the Assembly.

Neither was all this enough, but in the seventh place there must be yet a nearer and full conjunction with the Malignant Party, they were already advanced to chief places of trust in the Army; but the Acts of Classes made against *James Graham* late Earl of *Montrose* his bloody Complices and Associates, must be repealed and broken, and the Malignant Party advanced to the chief places of trust in the Land, Civill as well as Military; and in effect, to have the whole tway in Court, Parliament and Army. In this both Kirk and State did concur. It is true, that the Commission of the Kirk did in that transaction, require a Band of Lawborrows to be taken of the Malignants before their admission to sit in Parliament, obliging them not to endeavour the repealing former Acts made for Religion, and that they should not revenge themselves upon any for opposing or censuring them for their Malignant courses; but all the former Bands given by them for keeping the peace, were discharged, and all the penalties of them; and now all the certification and pain required in case they should fail, was, that they should be declared Malignants, and lose their places; a pretty fancie indeed to declare them Malignants. And who should declare it? The Act of Parliament saith, It must be first found by the Parliament, Committees of Estates, or Kings Privy Councell, that they have contravened this Band; and the far greatest part of them were known Malignants in all their ways. No sooner was the Malignant Party admitted to Parliament, but forthwith all who would not concur for promoting the Publick Resolutions, were declared Enemies, their persons ordained to be imprisoned, and their estates confiscated, and in this they answered the expectation

Station of the Commission of the Kirk, published in their Warning March 1651, wherein they foretold, that no doubt civil tumults would be instituted by the Civil Magistrate.

The eight step was, That the Commission of the Kirk, a subordinate Judicatorie, limited in their proceedings to the Acts of former Generall Assemblies, did take upon them to prelude the elections of the ensuing Generall Assembly, by laying a foundation for debarring all such as had opposed their Resolutions (which the Author of the Vindication so much cryed up in this Pamphlet grants to be *contraverſi juris*, and that they have not for their warrant the president and practice of any former Assembly) and for constituting the Assembly of men that were of their judgment, and had practised these Novations by them introduced, which is a preparative of so dangerous consequence, that being admitted, we cannot expect hereafter right constituted Assemblies, nor look that the purity and power of Religion shall be long continued among us; but the subordinat Judicatory being permitted in the Intervall betwixt Assemblies, to make rules for constituting the ensuing Generall Assembly, we may ere long be led back to Prelacy and Popery.

The ninth step is, That election of Commissioners being made generally in Presbyteries according to these prelimitations, and they being met at St. Andrews, did refuse the peaceable Overture made to them by these brethren who were unsatisfied with the Publick Resolutions, did admit persons under scandal, to sit as Judges, after exception made publickly against them; yea, did admit them to be both Judges and Party, and did according to the designed prelimitation, exclude faithfull and godly men, for their opposition to the Publick Resolutions; all which and much more is fully cleared in the Review of the Vindication of that Assembly.

The tenth step is, That the said pretended Assembly thus corruptly constituted, did ratifie and approve all the Publick Resolutions, censure godly and faithfull Ministers for their witnessing against these corruptions, and enact against the generality of zealous Professors within the Land, that all who did oppose, or after conference did not acquiesce in their determinations, should be proceeded against with the censures of the Kirk, and the Commission of that Assembly met at Forfar 22 August, did in their printed Warning, denounce the heavy curse of God against all that did not con-

cur in their Publick Resolutions, and appoint the same to be read in all Congregations on the Lords day, which if well considered, I suppose may be a parallel to the tyranny and usurpation of the Prelates, and in some respects above the same; for they did not injoyne the practice of the five Articles of *Perih*, under pain of censures and curses for diverse years after they were concluded in that pretended Assembly.

I shall now proceed in answering this Reviewer, who hath collected the summe of the Observations made in their Assembly upon their reading of the Protestation, and hath borrowed some things from the Author of the Vindication. Beside these, I finde nothing in him but frothy words and reproaches. He saith, he *will passe the Representation, and also wave the Propositions, because satisfactorily answered by the Assembly*: wherein he is greatly mistaken, for diverse of them are not answered at all, and others of them only with equivocations, for which let this one instance serve for the present; to wit, because we conceive their late proceedings relating to the Publick Resolutions, have obstructed and shaken the Work of Reformation, we desired that they would give assurance that they approve of the Acts of uncontraverted Assemblies, concerning receiving of Penitents. In their answer they leave out the word *uncontraverted*, and so include their late Assemblies Acts, which are the things we complain of. As for the Representation, he should have considered what himself saith in that same page, that in some cases a Protestation is lawfull; how can he then judge this Protestation unlawfull, which is grounded upon the refusall of the just desires made in that Representation without considering the same; but he may not stay, therefore he makes long steps that he may come soon at the Protestation, his words are these, *I shal Godwilling grapple with them in their arsenal of the Protestation it self, yet shrtly glancing onely at some principall things,*

*Quid dignum tanto tulit hic promissor hiatu.*

I shall not trouble my self with his vain boastings, but proceed to try what strength is in his Arguments.

## PROTESTATION Reviewed.

**VV** Here I begin with the Tittle. A Protestation which was given in against the Supream Representative of this Kirk. Although I do not deny but that General Assemblies may erre, and the Godly be so put to it as to have no remedy left them in Law but to protest, yet except the case be clear and sure, this course is one of the highest contempts of Ecclesiastick Authority; The last refuge for removing of scandalls, being *Mat. 18. 17.* Tell the Church; after which nothing remaineth, but if he neglect to hear the Church let him be as a Heathen or a Publican; I trust whatsoever glosses others put on the words, there is no difference betwixt our Brethren and us about the Exposition of them; and hence appeareth the equity of that Act and practice of our Assemblies, inflicting the highest censures on such, and reason, since they in the highest measure neglect to hear the Church; neither is there now any ulterior, or superior Judicatory to go to: But what if she or not, and whether she do or not, wherein have these men shewen their respect to their Mother, who what in them (yeesh & but blessed be the LORD is Iyeth not) would discover her nakedness; when others then Brethren are to behold it? Let them take heed if this be not a main step to separation (which in words they seem to abhor) when as they Protest and Profess they will not hear us, so they would cast on us a kinde of necessity to hold them as Heathens and Publicans; but to prevent this they have found a way of their own, and as (if they had not been of us) they are gone out from us, and setting up to do their own business without us, as they seem to intimate in the last page of their printed Paper after the Protestation, contrary to the very Fundamentals of the Discipline of our Kirk, which is and ever hath been professed to be by Presbyteries, Synods, and National Assemblies duely subordinate one to another, all which their course overturneth, while they walk in another way to make the matters of their Propositions practicable as they say: But besides that, a Protestation is, at best (except in the case of pungent necessity) in its nature odious, it is so much worse in our Kirk, where we are tyed by the strictest Bonds both of the



*Nationall and Solemn League and Covenant, against all divisive motions and courses; And Pray I what is this other then a divisive motion, and that of the deepest dye, for them to separate themselves, and joyning together make a party, when the Supreme Judicatories of Kirk and State were going on in their continued Affairs in the day of great danger and distress? They may be pleased to remember their own Actings and speeches when GOD honoured them to be sitting in the Supreme Judicatories; how far short came the intended divisive Supplication in Anno 1648. of this course they are now on; nay, the very cross Petition in Anno 1642. both which (some of them I say some, for most of them are but of Yesterday, and had then no place in our Judicatories) shew'd so much zeal against.*

#### PROTESTATION defended.

**I**F the Reviewer doth mean by the beginning of this Paragraph, which is darkly and ambiguously expressed, that an Assembly may be wrong in the constitution, and so no more to be an Assembly then a painted man is a man (as the Author of the Vindication so much cry'd up, doth in that case yeeld) and that the godly in such a case have no remedy left them in Law, but to Protest against its constitution and Proceedings. Then he grants all that the Protesters desire, for the subsumption and application falleth within his exception, the case being to their consciences clear and sure: But if he doth suppose that there can be no unfree unlawfull Assembly in the constitution thereof, and that the Remedy of Protestation is onely to be used against wrong acts, then he speaketh against Experience, and the known practice of the faithfull servants of GOD in this Kirk; I have given several Presidents of this before, and the Acts of the Assembly 1638. and 1639. against the six corrupt Assemblies, do clearly demonstrate the same. Is it not as lawfull, and more necessary to Protest against a wrong Authority or usurpation as against wrong acts of a true Authority? For the first is far more dangerous to the Kirk every way then the second. He makes it one of the highest contempts of Ecclesiastick Authority, to protest when the case is not clear and sure, but he forgets to consider how great a transgression it is before the L O R D, and how injurious

injurious to his Work and people, to usurp the Supreme Authority of the Kirk over all the Judicatories thereof; to decree unrighteous decrees, and tyrannize over consciences: the sad consequences of such a course cannot be soon reckoned. As to that he argueth from *Mat. 18. 17. Tell the Church*. I answer, That the same Commandements of God that injoyne acknowledging of, and obedience to free and lawfull Generall Assemblies in the LoRd, do *per negationem contrarii*, according to the generall rule of interpretation of Commands set down in our large Catechisme, require the not acknowledging, or keeping unfree and unlawfull Generall Assemblies; for where a duty is commanded, the contrary sin is forbidden, and so the command to hear the true Church requireth our not hearing a false or non-Church, within which an unfree, unlawfull, and corrupt Assembly doth fall; and therefore it is neither to be told nor heard, but to be declared, Protested against, and discovered in the nullities and corruptions thereof, as the Assemblies 1638 and 1639 have well judged. He alleadgeth an Act and practice of our Assemblies, but he neither mentions the Act nor Assembly where such a thing is to be found. There was never any Act made in this Church against declining of Assemblies as unfree or unlawfull or corrupt, the Act which he hinteth at upon misinformation (but as it seemeth hath never read) doth speak nothing of declining an Assembly; because of its constitution good or bad, but against appealing from the Kirk Judicatory in an Ecclesiastick cause to the Civill Magistrat, as is well known to all that have perused the Acts of Assemblies. It is respect to true Authority to decline usurpation, and it is a contempt, yea, in effect a Declinator of true Ecclesiastick Authority to acknowledge unlawfull intruders upon the same. It is not to the present case, to tell us that Divines say reverence is due to the Church when she erreth; the question is, whether the two late Assemblies be a lawfull Representative, yea, or no, and not about an Assembly lawfully constitute, and erring in their Proceedings: The learned Review of the Councel of Trent, and the *gravamina contra Concilium tridentinum* made use of by the Generall Assembly at Glasgow against the Bishops' declinatur, do fully shew the judgement of Protestant Divines, for declining and Protesting against an Assembly not lawfully and rightly constituted.

stituted. *But what if she erre not,* saith he: Answer, that is sufficiently cleared in severall Treatises, which have been long since dispersed in Writing, and have come to the hands of many of the contrary judgement, but have never yet been answered by any of them; there is so little doubt amongst the most part of zealous Professors anent the sinfulness of the Publick Resolutions; as I need not here to dispute it. *But* (saith he) *whether She erre or not, wherein have these men shewen their respect and reverence to their Mother.* I Reply, that reverence to their true Mother maketh them disclaim such Srep-Mothers; and I desire to hear it proved by good reason, what more right pretended Assemblies have to call themselves the Mother of all the People of God in this Church, then the Prelates had to call themselves our Spirituall Fathers: For that which he saith, *the Protesters would discover her nakedness, when others then Brethren are to behold it:* I shall give the same answer to it which was given to the like calumny, by our Protesting fore-fathers, in their Supplication to the Parliament 1621. recorded in the courie of conformity; their words are these: *The reasons whereby we are upheld in our course and Protestations and just defence against the oppositions intended, are all made patent to the eyes of the World, no wayes to lay open the nakedness of our Mother to the scandal of the enemy, or justly to offend any otherwise minded, but that the multitude of our Professors be not tainted with the venome of maliciousnesse, contrary to the sincere Milk which they have received, &c.* In the next place he bids us take heed if this be not a main step to separation, that we refuse to hear them as the lawfull Representative Church: But we must take heed in the first place to another thing, *viz.* Not to separate from known and received Principles. The Declaration of the Assembly 1647 saith, that next to the changing of Principles, the changing of parties, the assisting of these whom we should suppress, and persecuting these whom we should assist; the joyning with these against whom the Covenant was made, and against these for whom it was made, is the great breach of Covenant, and separation from the Covenanted union which is held forth in the words of the Covenant, obliging us not to be divided and withdrawn from that blessed Union and conjunction by making de-  
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fection to the contrary part, &c. The Nationall Covenant describeth these to be the Church of Scotland who agree with our first Reformers, in Doctrine, &c. The declaration of this Kirk made in 1648 saith, that our Union in the Covenant with GOD, his Cause and People, stands in keeping the Principles thereof, and separation stands in defection therefrom. It is Declared by the Assembly that year, a Principle of our Cause, and necessary for security of Religion, that the Malignant Party be esteemed enemies to the Cause of GOD, and that association with them is contrary to the Word of GOD, and to the Covenant; so doth the Assembly 1649 in the Act against Engagers. Now I say, that these who are for the Publick Resolutions have changed some of their Principles, and also changed their party, for they have joyned with the Malignant party, and acts and censures for persecuting these with whom they were joyned before; where then lyes the guilt of Division? and who made the first steps to separation? *a Degredere & Ecclesia pristina Scotica;* with whomsoever these things are found, let them be accounted separatists indeed. As for hearing them, and conferring with them in an extra judiciall way, the Protesters have never declined it; but the hearing which they require, is to be acknowledged as the lawfull Representative of this Kirk, and to be obeyed accordingly; and the Reviewer intimateth, that there is a necessity of holding the Protesters as Heathens and Publicans, but that they have found out a way of their own to prevent it. An hard sentence indeed to excommunicate them all: What Exclamations of rigour had there been if such an expression had dropped from the Pen of a Protester? I shal say no more to it, but that this Reviewer hath a zeal of God, but not according to knowledge; He saith, the Protesters have gone out from them, and set up to do their own businesse alone, and overturn the Fundamentals of the Discipline of this Kirk; but he hath no better proof then the last page of that Paper wherein the Protestation was printed, which was no deed of the Meeting, nor did I ever hear that any Member of the Meeting doth own the Writing of that page. But what is the crime he thus aggr. geth? The Propositions given in to the pretended Assembly were such as they could make: no just exception against them, and when they refused to grant the Protesters desires, what fault was there for Brethren

Brethren to recommend it one to another in their stations, to endeavour to put in execution Acts of uncontraverred Assemblies; yea, what they have done in order thereto, was agreeable to the customs of this Kirk, and commendable in this corrupt and troubled estate thereof.

He is much mistaken when he saith, a Protestation is in its nature odious, and it argueth small knowledge of the state of the Kirk of Scotland in former times, to say it is worse in this Kirk then elsewhere; It is the mean which the Lord hath blessed in the hands of our Fathers, and our own to preserve the Cause of God, and his Kirk in times of Defection, as the Paper sent by the Clerk of the Assembly, and Procurator for the Kirk to their Meeting at St. Andrews doth sufficiently manifest. I desire this Reviewer may be pleased, to take a look of the Narrative of the solemn League and Covenant, and Nationall Covenant, where he will find Protestations reckoned as a mean for preservation of Religion, and so Protestation is no divisive way, but a lawfull endeavour to which we are tyed by Covenant; and in the 6. Article, *what we are not able our selves to suppress or overcome, We are bound to reveal and make known, that it may be timely prevented or removed*: If he had considered well, it had been more for his advantagg to have spared the mentioning the crosse Petition in 1642. and divisive Supplication in Anno 1648 both these were in favours of the Malignant Party and their Interest, and the Protestation which he so much inveigheth against, is against the Malignants and their Interest, so it was very agreeable to the Protesters Principles to be zealous against these Supplications. But I readily believe what this Reviewer professeth to be his judgment, viz. That the Protestation is to him a greater crime then the crosse Petition, or divisive Supplication, for most of these who now shew themselves hot Zealors against the Protestation were of a cold temper, when the crosse Petition and divisive Supplication were considered in Church Judicatories. He saith most of the Protesters are but of Yesterday; he might have said as much of all men, and spoken truly, but if he plead earnestly for age upon his side, I do yeeld him this much, that many of these who are for the Publick Resolutions are of that age that they entered into the Ministry in the time of the Prelates, and did swear conformity unto the Articles of Perth, and implicate obedience

bedience to their ordinary, and the like cannot be said of the Protesters, for either they were sufferers under the Prelates, or else they entred not into the Ministry till the Lord had in his gracious Providence opened a door by the Reformation.

### PROTESTATION Reviewed.

**A**Nd thus passing the Title of it, We come to the matter, where following their own footsteps, We begin with the Narrative which they begin with, asserting, that its well known to divers of our number what peaceable endeavors they have used without success, in order to the removing of the differences among us: to which I reply, that even by the permission of their own phrase, most part of the Assembly might, yea did not know any such thing, but were confidently persuaded, if any such endeavours were used, the lack of success did, and doth lye solely and sadly upon the Protesters themselves; when this was Publickly debated in the Assembly, there was none found that knew any thing in that kinde, except that which was done in the latter end of the last year, which let the world judge how peaceable an endeavour it was, and whence it came that it wanted success? Thus it was: They meeting then in Edinburgh, without Order, after a little pause, did constitute themselves in to an Ecclesiasticall Judicatory, wherein Magesterially they defined things so preiudicial to us, as not onely obstructed all peace but also sounded the alarm to a new conflict, by emitting a Paper wherein they peremptorily conclude, among the chief causes of Gods contraversion with the land, the Publick Resolutions and preceeding Assen. to have a speciall place: And having thus fast locked the door of peace to mock the world, if it did nought else, they sent some of their number to St. Andrews to essay if they could draw off 3 or 4 there, & others to Glasgow for the like intent, making account (which some of them spared not to profess) that if they could get five or six of our most eminent men off, they cared not for the rest of the Ministry, professing also at that conference, and others of them in an open Synod, that they would never unite with the most part of the Ministry of Scotland, and suitable to these ends was their carriage at St Andrews, as is clear in the Relation of the Paper thereat, which Paper though Publick enough, We have never yet heard contradicted by any.



PROTESTATION *Defended.*

**T**Hat most part of the Assembly did not know any such thing, is more then will be easily believed by these who know the progress of the differences; were most part of the Assembly ignorant that Conference was desired by the Synod of *Glasgow* and others, when the Commission was carrying on the Publick Resolutions, long before the Assembly at *St. Andrews*? were they ignorant that in *St. Andrews* before the constitution of that Assembly, the Protesters did most earnestly Petition and endeavour an adjournment before they Protested as they did at their late Assembly in *Edinburgh*, earnestly desire a Conference before Constitution, but neither in the one nor in the other could they obtain satisfaction.

That which he calleth a Meeting at *Edinburgh*, was a Meeting of the Commissioners of the Generall Assembly 1650. and as great a number of them as was of these who (sighting the advertisement of others that were joyned with them in Commission) did answer the Parliaments *Quere*, and laid the foundation of conjunction with the Malignant Party, beside there were at this Meeting many other Godly Ministers, and Professors from several parts in the Country convened, to search, consider, and after Prayer and Conference to agree on the Causes of the Lords controversy against the Land; and being convinced in their judgements that the treaty with the King in *Holland*, the Publick Resolutions; & corrupt Constitution and proceedings of the Assembly at *St. Andrews* and *Dundee* were amongst the parts of the Lands defection, and Causes of Gods wrath, they did in conscience of their duty acknowledge the same, and their own accession to these transgressions, and some did confesse with grief, that they had been chief in the trespass; the grounds and reasons of their conviction are expressed in that Paper by him mentioned, which this Reviewer might have refused, if he had been able, or otherwise quarrelled lesse with it; he doth wrong himself as well as the Protesters, when he saith, that they magistrally defined things, and peremptorily concluded them: for the title of the Paper sheweth, that they onely do soberly propound things to others, as their advice. He would make this a locking of the

the door of peace, but considers not how that long before this, those that are for the Publick Resolutions, had contrary to the Word of God and Acts of this Kirk, constitute themselves into an Assembly, approved the publick Resolutions, condemned the Remonstrance and Protestation, censured some with deposition, and made severe Acts against all that differed from their way; that was not only to lock the door, but fasten it with bolts and bars. Then he makes his own construction of the Protesters, sending some of their number to *St. Andrews* and *Glasgow*, and affirms the end to be onely to gain five or six of their number, and to make it seem true which he alleageth, he setteth down two speeches uttered by some of the Protesters; but so far as I have learned, there was no such language as he expresseth. The Protesters do upon no occasion deny, that they make a difference betwixt some, who in former times have been faithfull, but of late were engaged for the publick resolutions, through the straits of the time and strong tentations, and betwixt others that have alwayes been promoters of a Malignant Interest; they do likewise deservedly esteem more of some leading men of the first sort, then of others of them, and their desire and endeavor to draw off some chief leading men, was to make way to draw off others, of whom also they do well esteem; yet as is to be feared, were too much swayed by example of these whom they know to have more learning and piety then themselves: and if a judgment may be given of the thoughts of the hearts of many of the last sort, who maintain the publick resolutions, from their speeches and actions, they are as desirous to be rid of these chief leading men from amongst them, as the Protesters are desirous to receive them. For that Paper anent the Conference at *S. Andrews*, which he saith, is publick enough, but not contradicted by any; It is the first time for ought I know, that any of the Protesters have heard of it, and untill it be in more hands then these of his judgment, it may meet with no contradiction, and yet well deserve it.

#### PROTESTATION Reviewed.

**A***S for any of their endeavours they are inter occulta de quibus non judicat Ecclesia; But I shall desire it to be considered on the contrary, how the preceding Assembly at Dundee appointed,*

red, that Synods and Presbyteries should deal with them, to give them satisfaction ere they proceeded to censure; the publick Commission could do nothing of that kind, being by the troubles of the time impeded to sit, yet were not such of them as could most conveniently correspond, altogether defective in this, though pressed with either part of a dolefull dilemma: for if they should act in the capacity of a Commission, the Protesters would not have conferred; and out of that capacitie, their actings (besides, that it could not have been obligatorie to others) had been a silent quitting, if not betraying of their trust; But providence offered opportunity thus: In the beginning of this year, some brethren from several parts of the Countrey, being sensible of the then imminent snare and danger, resolved by common consent to come to Edinburgh about the 12 of February, at which time they heard there was to be a great meeting of our dissenting brethren, where they resolved to deal with them, that there might be a common Warning emitted by consent of all the Judicatories of the Kirk, concerning things which we doubted not were agreed to on all hands: accordingly they dealt with such of them as were in Town, by the mediation of the Ministers of Edinburgh, by whom they sent to them materials of a Declaration, desiring them to change or adde as they should think fit for the purpose, but they refused to joyn, to the great grief of those who did mediate, pretending they would first have a conference about differences, which was nothing else but to disappoint the matter, the danger being so near, that a Meeting for such a conference could not be convened, and the danger prevented.

#### PROTESTATION Defended.

**I**T hath been already shewed, that before their Act at Dundee, they had emitted Warnings and Declarations against such as concurred not with them, as enemies to Religion, King and Kingdom, stirred up the Civil Magistrate to inflict punishment, and required Presbyteries to censure opposers within their bounds; and that Act which he mentioneth, leaveth no latitude to Synods and Presbyteries to forbear censure, except in the case of obedience to the Act anent the Publick Resolutions, though upon debate the  
major

major part of a Presbyterie should have been convinced of the evil of that course, yet the Act gives no power to recede. The Committee of Estates in 1648. did professe in generall terms, to offer all possible satisfaction and security for Religion, to which the Generall Assembly *July 25.* answereth, that they see no possibility of securing Religion, so long as that unlawfull Engagement was carryed on, which may be well applyed to the present case. That *Dilemma* of his is but a weak device, *neutro cornu pungit*, the Protesters never did refuse to conferre with them, let them frame as many capacities to themselves as they pleased, onely they refused to acknowledge them a Judicatory, and upon protestation, they did conferre with these who accompted themselves clothed with the power of their late Assembly at *Edinburgh*. And on the other hand their acting out of that capacity had contributed as much to the intended end, which was by conference to hold forth lightenant the matters in controversie. Neither was there any need of authority to oblige others who intrusted them, for their power was limited, and they are not warranted to depart from one *iota* of the Publick Resolutions; so in that case they could not oblige: Nor is he able to make it appear, that it had been a betraying of their trust to conferre with these who refuse to acknowledge their authority, otherwise he shall condemne the practice of their late Assembly at *Edinburgh*; for though they would not conferre untill they had constituted themselves into an Assembly, yet then they conferred; but the capacity he speaks of, was not acknowledged, but Protested against, I know that there be such questions amongst States, to stick upon the niceties and punctilioes of their Titles, and the acknowledgement of their power; but these are too stately things; for Ministers of the Gospel, it is more suitable to use Christian condescendence, then to be puffed up with the pomp of pretended or real authority, and therefore as I see not the strength of this *Dilemma*, so I see no reason why their late Assembly at *Edinburgh* refused to read a Letter from the Protesters, because they wanted their Titles indorsed on the back of the Letter. As to the relation he maketh in this Paragraphe, it is greatly perverted. If his ordinary discourse be suitable to the language of this Pamphlet, it would give ground enough to adjudge him to have lost the benefit of his fraanke law, and never to be admitted to be a witness  
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for truth hereafter. The true state of that matter is this: The Protesters who had seasonably given a testimony before in a Letter sent to the Generall of the English Forces, and a duplicat presented to the Generall Major in *Edinburgh*, thought it their duty to meet again about that time, especially to prevent the imminent dangers to Religion, and having stayed about fourteen dayes together, and done what became them in their stations, and also advised the Ministers of *Edinburgh* to give a free testimony and faithfull warning to their people upon the Lords day, concerning the present snares and dangers to Religion, which was done accordingly; the Meeting dissolved. Some Brethren who are for the Publick Resolutions were in the Town, and had severall diets of meeting at the same time when such of the Protesters as were in Town did meet, upon what occasion they did meet was not known, but it was conceived to be for strengthening one anothers hands anent the Publick Resolutions; and I am sure there was no message sent to the Protesters at their meetings by the Ministers of *Edinburgh*, though they were present at the last diet of their meeting, nor yet by any other, only upon enquiry at these of the Protesters who dwelt in the Town; I find that some dayes after the Meeting was ended, some of the Ministers of *Edinburgh* came to one of them, (whether sent from any other or not, was not made known) and said, That there was a motion amongst some brethren that are for the Publick Resolutions then in Town, about the Protesters, and their joyning together in a Publick Warning against the English. And his answer was, that if they had any such intention or desire, he wondered why they did not propound it to the Meeting of the Protesters while they were in Town, and that he could not say any thing in a mater of that consequence without the rest, especially seeing he was not one of these who were intrusted by the meeting to confer with these brethren about matters in difference; and that seeing these who were appointed would be ready to confer whensoever Mr. *Blair*, or Mr. *Dickson* desired, he thought that it was best to propose it at such a Conference; When his own privat judgment was pressed, he answered, That they knew neither he, nor any of the Protesters, had scruple to give testimony against the *English* Proceedings, for they had already done it both by word and writing. As for this motion of joyning in a Testimony with those who were for the Publick Reso-

Resolutions; it was new to him and deserved second thoughts; and he desired to know if those who were for the Publick Resolutions, would joyn with the Protesters in the Testimonies which they had given already; & if in the testimonies to be given they would testify alike against both hands, according to the good old rule and practise of this Kirk, and for his own part he could not see, if they still maintained the principles of the Publick Resolutions, how they could abide by a Testimony, but did leave to themselves a latitude to joyn with any party whatsoever; and some of the Gentry had expressed this to be as good a warrant for their actings in the year 1651. as in 1650. and therefore if they would not joyn with the Protesters in their Testimonies against the *English*, nor in new Testimonies against both hands, he would have a great doubt of joyning with them: but this (he said) was only from, and for himself upon his first thoughts, he knew not what might be his second thoughts upon conference with others; and as for sending to him materials of a Declaration, desiring the Protesters to change, or add, as they should think fit for the purpose, there was never any such thing presented to him, or any other of the Protesters, nor will he find any Ministers in *Edinburgh* to bear him witness in this particular. It seemeth that this Reviewer is accustomed to be very liberal in his language (to say no worse) and that his neighbors allow him the liberty to do so, otherwise he would have expected to meet with contradiction, and taken better heed to his Relation. Concerning that which he would insinuate, of the forwardness of those of his judgment to give such a Testimony, why then did they not (as the Protesters had done) give a Testimony alone by themselves, but they returned home without doing any thing, though the danger was so near, as he saith; nor did they any thing to that purpose on their subsequent Meetings; and for what they did at their late Assembly, I have spoken to it before.

#### PROTESTATION Reviewed.

**T**His past the Synods in April, being invited by that of Fife, by their acceptance of their Overture, shewed their affection to such a peace with their Brethren, as might not trouble their peace with God; and for that effect did commissionate some of their  
*Members*



Members to come to Edinburgh is a Meeting in May last: but that is the next thing they complain, and challenge us of. First, for neglecting to give them timely advertisement, when yet the very first motion of that Meeting in all our Judicatories, was in their presence, Who (if they had been of such a peaceable temper as they talk of) would, no doubt, have made such an invitation welcome, and embraced the occasion. As for particular advertisement to them separately, The Delegates of the Synod of Fife intrusted therewith, used all possible diligence, a fortnight before that Meeting, dispatching their Missives. (which for ought that is known) did not miscarry; yea, upon their diligence, we found at that Meeting, some from Rosse, and others from Dumfries, places of very remote distance, both South and North: and it is credibly informed, that some of their chief leading men wrote both to Aberdeen and Galloway, desiring their Complices, not to keep that Meeting. Secondly, they complain, That not so much as some few dayes of delay could be obtained by those few of their number which were then present, whereby they might give advertisement to others. The truth is, in respect of their paucity, they required at least a fortnights delay (although they had probably a pre-indicted meeting, reasonable frequent, in that same place the very Week following, and others of them were in Town then, did appear to us, and some of them went out of Town immediately before our Meeting) and so long a time could not be given; not only because our Brethren, having come hastily from their several dwellings, were not able to attend so long, and once suffered to scatter, could not conveniently be gathered again; but especially because having offered unto them a free General Assembly (the of old acknowledged proper remedy of all Ecclesiastical diseases) where many of our selves might again be present, it was plain, that nothing to any good effect could be done till then; and Providence happily casting that occasion in their hands, that they might appoint and determin of the place of the ensuing Assembly, they could not suffer the same to slip, which could not be shunned, for lack of timely advertisement to the Presbyteries, if it were not then concluded. And so (which they perceived, those they spoke with, directly aimed at) let the Kirk in this difficult time, be shaken loose of her possession, of that her dear-bought freedom, which Mr. Welsh,

Mr.

*Mr. Forbes, and other precious men, that now rest, adventured their lives, and suffered banishment, to preserve; as was gravely pressed home by Mr. Blair upon them, in the Conference; and to which they could not, sure they did not, give so much as a seeming satisfactory answer. Thirdly, they say in the printed Paper, That a desire of Reconciliation was presented, but peremptorily, the electing, and sending Commissioners to keep the day, indicated by the Meeting of Dundee, was concluded: I know no opposition betwixt those two, as I conceive any good sense in the former, the one being the end, and the other a mean to it. Besides, I know no desire of Reconciliation presented to them, except the Paper of the Offer of a free Assembly, as the proper remedy of our distractions. But in the Autograph, it is pretended, not presented; and so they most uncharitably assert, We pretended a desire of Reconciliation, but had concluded another thing. It is so well known in the Country, whether it be we, or they, that use so art so, that I shall only need to speak to the purpose. Our desire of peace was real, the obstruction of it was from them, and we had been very foolish and censurable, if ever the Lord should bless us with another Assembly, for not walking answerable to our trust in relation to this, if we had not designed the place thereof.*

#### PROTESTATION Defended.

**T**He Answer which he giveth anent neglecting to give timely advertisement of their Meeting in *May* last, is, That the motion of that Meeting in all Judicatories, was in the Protesters presence, and if they had been of a peaceable temper, they had made the invitation welcome: This, I believe, is the best Answer he can give; but he might as well have given no Answer at all. For first, Letters were only written to some Presbyteries and Synods, and not to all, and there was not one word spoken of such a thing in many Presbyteries, or in their Synods. (2.) In these Presbyteries or Synods to which Letters came, the motion or overture doth expressly exclude dissenters from the Publick Resolutions, from any advise or consent in appointing that Diet, and is only directed to such as are for the Publick Resolutions, who are desired to return their acceptance of the Overture to the Delegates of the Synod of

*Fife*, against the 28 of *April*, to the end, that upon their receiving of the Answer of Synods and Presbyteries, to which they had written, they might, if they thought fit, advertise the dissenters from the Publick Resolutions to keep that Diet, *May* 12. but in that Letter there was no invitation for them to come, but rather an intimation not to come till they were advertised concerning the Resolutions of the Delegates of *Fife*, upon the return from Synods and Presbyteries. (3) I say, the business was purposely so contrived, as to make Conference for Reconciliation the pretence, but another thing was intended, *viz.* That the Commission of the pretended Assembly at *Dunace* might meet to determine the place of the Assembly ensuing, which had been left in the Indiction under the uncertainty of an Alternative. That Conference for Reconciliation was pretended, the Letter of the Synod of *Fife*, and discourse of their Meeting *May* 12. doth evidence, and this Reviewer asserth it. That the same was not intended, doth appear from this, that a competent time is allowed to acquaint Synods, and where they were not sitting, to acquaint Presbyteries which were for the Publick Resolutions; but where Synods and Presbyteries were against the Publick Resolutions, no Letters were sent to such; but after these that are for the Publick Resolutions are acquainted, and have returned their Answers against the 28 of *April*, the Letter of the Synod of *Fife* appoints these Answers to be considered before any Invitation be given to the Dissenters from the Publick Resolutions; and it is no secret that it was agreed amongst them, that some men of good estimation amongst the Protesters should not at all be invited nor conferred with: Now some time must be allowed for them to consider the Returns, and some time to make their Dispatches to all places within the Kingdom, and some time for these to whom the Letters were directed, to communicate the same to the rest of the number within their bounds: and some time must be allowed to ride to *Edinburgh*; all which was not possible within the space of thirteen dayes, from the 28 of *April*, to the 12 of *May*: for instance, no Letters were written to the Synod of *Glasgow*, where many of the Protesters live; nor from the Synod of *Fife*, or their Delegates; but one Brother of that Synod writes a privat Letter to another Brother in *Glasgow*, and seven or eight dayes of the time were elapsed before the Letter came to his hands, whereby

whereby it came to pass that some Presbyteries were not at all advertised, and others, when it was no time to go to that Meeting, 12 of *May*: the like happened in other parts of the Country, and indeed it could not be otherwise in places more remote from the Synod of *Fife* (it may be remembered that the same art was used by slighting Advertisements when they gave their Answer to the Parliaments *Quære*) Further, I desire it may be considered, what this Reviewer saith himself pag. 9. viz. when a fortnight is desired to convene the Protesters, he answereth, *That it was plain, his nothing to any good effect, it could be done, till the Meeting of their Assembly.* With these things I desire the Answer of their Commission, dated *November 26. 1652.* may be compared; which saith in exprets words, *That the time of the Gen. Assembly was near approaching that they behoud to meet in that capacity (to Wit, of a Commission) for determining the place of the Assembly ensuing, which had been left in the indiction under the uncertainty of an alternative, by reason of the time:* all which laid together, do sufficiently shew that the matter was purposely so contrived. Next, he saith, that some from *Rosle*, and others from *Dumfries* were there upon their diligence; but unless he say, some of the Dissenters from the Publick Resolutions, residing in these parts, were there, upon advertisement sent from the Delegats of *Fife*, after the 28 of *April*, he speaketh not to the purpose; for such as were for the Publick Resolutions might easily be there, for they had a competent time, and if any of the Dissenters from the Publick Resolutions were chosen by Synods or Presbyteries, which at most was but one or two, they might conveniently be there also, or perhaps some might be there occasionally: but none of these will prove his point. That some of the chief leading men of the Protesters, wrote to *Galloway* and *Aberdeen*, desiring their Complices not to keep that Meeting: For ought I have learned, there was no such thing; and if he can, let him instance the persons, in the mean time I give this instance to the contrary, That some of the Protesters were there from *Aberdeen*, being chosen by the Synod. He grants that which the Protestation alleageeth, That the few Protesters that were there, required a fortnights delay, in respect of their paucity, that they might send advertisements to others, but saith, That probably they had a preindicted Meeting, reasonably frequent, in that

same place the week following. But herein he is much mistaken, they had no pre-indicted Meeting; but those few Protesters who were in *Edinburgh*, supposing that their reasonable request, for a fortnights delay, could not be denied, (if there was any real desire of peace, concerning which they had charity, till it appeared otherwise) & did write Letters to all their Brethren that were not far distant from *Edinburgh*, to hast unto that Meeting with all diligence, which they did accordingly; and this sheweth their readiness to have come in upon advertisement; but when they came in, the Brethren that are for the Publick Resolutions, had indicted the place of their ensuing Assembly, and so having done the business for which they came, were gone from *Edinburgh* before the Protesters were convened. That two or three were in Town, and did not appear, and some of them went out of Town, is little to the business, their lawful occasions might divert them; and some of them were not called to the Meeting, yea, in effect rather desired to be absent; but they came when they were advertised. It is a poor subterfuge he makes for not granting a fortnights delay, to say, they could not attend so long, or being scattered, they could not be conveniently gathered again: Either of these might have been done, *if they had been of such a peaceable temper as they talk of* (as he is pleased in this Section to say, of the Protesters.) But he comes nearer to the truth and saith, *It was plain, that nothing could be done, till the meeting of their Assembly*: And so he may well say, considering that themselves had resolved nothing should be done till then. Afterward he allegeth, There would not have been time to advertise Presbyteries anent the place of their Assembly: But suppose the desire of the Protesters had been granted, there was abundance of time, there being about ten weeks betwixt the 12 of *May*, and the Diet of their Assembly the 21 of *July*, and so all the hazards he mentioneth might even in his own way have been prevented. But what if it had been so, that they had not determined the place? I cannot consent to what he saith, That the Kirk would have been shaken loose of her possession. Dost he know, or hath he forgotten what was maintained by the Covenanted Protesters in 1638. and the Act of the Assembly at *Glasgow*, Decemb. 26. 1638 or the Act of the Assembly at *Edinburgh*, Aug. 17. 1639. which was made after so much debate about that distinction of yearly and occasional

casional Assemblies, both in the Treaty at the *Birks*, and in that Assembly, the Act 27 of *August* 1647, and the Act of Parliament 1592. and the fourth, and sixth Act of Parliament 1640. anent yearly General Assemblies, expressly distinguished from occasional Assemblies, of which sort of Assemblies only the necessity is first to be remonstrated to the Civil Magistrate, and even these may be kept in case he refuse, by the intrinsecal power received from Christ as often as it is necessary for the good of the Church, as the Act of Assembly *August* 27 beareth: so there is no question, *in jure*, against this Kirks priviledge of holding Gen. Assemblies once in the year, without any address to the Magistrate. What if they had been violently stopp'd at that time from meeting, would they judge the Kirk to be so shaken loose of her possession, as she might not thereafter convene with the first opportunity, and keep yearly General Assemblies without address to the Civil Magistrate, because the adjournment was not kept: I hope they will not say so, nor make the Kirks priviledges lesse then Christ hath appointed, and the State hath acknowledged there is no limitation in the Acts of Parliament, or clause irritant in reference to keeping of adjournments: If the Right and Possession of the Church did hang on so ticklish a pinne, the corrupt Assembly at St. *Andrews* hath much shaken and indangered the same, for the possession of corrupt Assemblies doth not maintain the right of free lawfull General Assemblies, this alleadgance of theirs is but a fair flourish to perswade people to think well of their way, and of the necessity of their refusing Conference with their Brethren before Constitution. As to that he saith of Mr. *Welch* and others; Their endeavours were not to sit and make Acts approving of the Defection of the time, and obligatory of the whole Church as now is done, and that which they were mainly condemned to death for, and suffered banishment, was for declining the King and his Councell from being judges in Ecclesiasticall matters *in prima instantia*; but the Commission which sate at *Perth* and their Assembly at *Dundee* did subject the Doctrine of the Ministers of Jesus Christ to the immediate cognizance and censure of the Civil Magistrate in the case of the Ministers of *Sterline*. There be two sorts of Ministers engag'd for the Publick Resolutions as hath been touched before, one of these was never ready to act for Assemblies when they were rightly constituted, much lesse to suffer



suffer for them. As for the other sort, I do hope when the Lord shall afford the opportunity of having Assemblies rightly constituted as formerly, they shall not adhere to the present corrupt constitution; nor do I think their persuasion is such concerning the Publick Resolutions, when they are free of temptations, as they durst adventure to suffer for the same as Mr. *Welch* and other precious men did for the undoubted right, Freedom and Privledge of this Kirk, under the persecution of King *James*, who would not acknowledge either right or possession of Assemblies, but maintained that their Meeting and dissolving ought to depend on his pleasure, and that they could decree nothing without his consent or ratification, yet setting aside the Publick Resolutions which is the grounds of the difference betwixt them and the Protesters; I do in charity judge, that many of them would suffer for the right and freedom of the Kirk. In the end of this Section he would fain quibble on the **PRINTERS** escape, in Printing *presented* for *pretended*, though he grants that in the Autograph it is *pretended*; his zeal leadeth him to quarrel with any that have the least hand about the Protestation, even with the **PRINTERS** Boy, though in some Printed Copies the fault be corrected; but I say no more, for it's wearisome to trifle the time in answering all that he saith.

#### PROTESTATION Reviewed.

**I**N the next room, they mention their Paper given in with the Propositions (wherein they say they have concurrence of the Generality of the godly of the Land) and did invite at for a Conference, which was denied; the Commissioners proceeding to assume the power, and constitute themselves in a Generall Assembly: lest any should think, that in assuming the power, and constituting themselves into a General Assembly, they did some new and uncouth thing, as those who challenge them did the last year, in constituting themselves a Commission of the Kirk; be it known to all men, they did no other thing, nor in no other way, then all the Assemblies since the last Reformation have been in constant practice of:  
And

*And how necessary it was, in this staggering time, not to change in the least, will be assented unto by every ingenious man, nor know I any reason why they should complain: For those to whom the Paper was given were not in a capacity to give an answer, till they were first Constituted in an Assembly (yea none but an Assembly could satisfactorily answer their demands, as is evident to, and will be acknowledged by the Judicious Reader) which was no sooner done then they went effectually about it; But on the contrary the Protesters would not so much as wait till then, but presently gave in their Protestation. We will not now speak of that other Paper, yet cannot passe that arrogant Tuttle of the generality of the godly, which they assume to themselves and their abettors: We will not mention of whom they learned this, and whom in many other things they too much resemble: But we shall referre the Reader to that most faithfull and timeous Warning and Declaration of the late Assembly at Dundee, and the third admonition and charge of the second part thereof.*

PROTESTATION Defended.

**H**E affirms that they did nothing in constituting their Assembly, then was done in all the Assemblies since the Reformation; but if he had understood wel the History of Proceedings in this Kirk, he should have said they did no other thing then was done in the six unlawfull Assemblies immediately preceding the last Reformation (which the Review of the Vindication of the Assembly at St. Andrews and Dundee doth clearly manifest, and that they have Constituted themselves in a way contrary to the strain and tenor of the Acts of this Kirk anent Constitution of Assemblies from our first Reformation: and if that at St. Andrews was no lawfull Assembly of this Kirk, then the Commission of the Gen. Assem. 1650 is still in force, and needed not a new Constitution; the Commission being ordained to endure in the intervall, untill the next free lawfull Generall Assembly, and though one half of the Members appointed on that Commission by the General Assembly 1650 have

have contrary to expresse limitations in their Commission agreed on the Publick Resolutions, and contrary to the established Order of this Kirk, procured an unlawfull Assembly to Ratifie their Proceedings, yet there is twile the number of a Quorum of the Members of that Commission which have never assented to, nor concurred in these Publick Resolutions. The desire of the Protesters to that Meeting at *Edinburgh*, for not Constituting of themselves, and for entertaining of a Conference, was shewed by him who hath the trust of the Registers of the Kirk, and most knowledge thereof, to be agreeable to divers practices even of lawfull Assemblies in this Kirk, as in the year 1568, 1569, 1578, 1586, 1591, 1597. which was done at the desire of Mr. *Blair*, and the particulars offered to be instructed. The Writer of this Review may remember what sharp returns Mr. *Blair* met with because of his Repeating and pressing these things when the Protesters did remove. As to that he saith that they were not in a capacity to answer the Representation of the Protesters untill they were Constituted, I assert, they were only in a capacity to answer before Constitution, and not after it; for questions about constitution must precede, and not follow after constitution; therefore it was necessary to protest presently against their wrong Constitution, and it was either a weak answer which many of their Assembly gave that adjournment, or a few dayes would annull all their Commissions, their being no such limitation or provision in their Commissions nor any Act of this Kirk to that purpose, but if the Conference had been granted for the ends desired, and blessed of the LORD with an agreement in the matter of the Propositions, there had been no great difficulty to have accorded anent Assemblies in time coming. The generality of the Godly was not mentioned in the Papers of the Protesters, without a previous report of godly Ministers and Professors from severall parts of the Land, though he saith he will not mention of whom the Protesters learned this, and whom in many other things they resemble, yet the Protesters are not ashamed of these to whom they were Disciples in this expression, and many other things of necessary use in the present debates, whosoever shal peruse the Papers of this Kirk in the year 1638 and 1648 may be abundantly satisfied that the Protesters follow the ways and words of these who have goae before them in the Work of

of Reformation. The fifth Argument against the unlawful Engagement, is founded upon the same ground and *expression*. It is very like they had offended as much if the Protesters had used the words made use of in the like case by our Predecessors against the courtes of Defection, which are the equivalent hereof, *viz.* The greatest part of the most zealous Professors in the Land, no question that was thought by many of that corrupt age as arrogant a Title to be assumed by the Protesters of these dayes against the corruptions of that time, as this Reviewer thinks the Title of the generality of the godly to be, when it's used by the present Protesters. The singular testimony which he giveth to the Warning and Declaration at Dundee speaks, That he hath a singular estimation thereof in his heart, above many former Warnings and Declarations of this Kirk; I desire to know if he can with so full a mouth, and hearty applause give such an *incensum* to the Declaration in the year 1648 against the unlawful Engagement, let any indifferent man read & compare them, whether contrary spirits do not speak in these two Declarations. As to the passage cited by him in that Warning, I Answer, That the Protesters are very far from such ways and opinions as the Members of this Kirk are exhorted in that Warning to beware of; Neither their Profession nor practice doth hold forth any such thing, as that they would *have a Kirk made up of such persons only, as do evidence their Regeneration*; they desire to beware of that extrem upon the one hand; but they desire also to beware of another extreme upon the other; to wit, That a Kirk may lawfully according to the Word of God, be made up of known obstinate Enemies to the Lo R D and his Work; and that notorious bloody Rebels who hate to be Reformed may be admitted to all the Ordinances of Christ in the Church, and preferred in the State to chief employments, and intrusted with the defence and preservation of the Lords Interests and People, notwithstanding they have been and still remain wicked enemies to, and persecuters of the same; there is a middle way betwixt these two extremes which the Protesters do hold according to the Word of God, and the received Doctrine of this Kirk for near an hundred years, and especially since the late Reformation, to which rule the Protesters do adhere, and do hold it their duty to endeavour that they may be observed and practised as well as they are professed, it being one of the crying and most

provoking Gns. of this Land, to make fair Professions but to fall in  
the Practice.

### PROTESTATION Reviewed.

**W** Here they affirm is their burden, and that they  
have no delight to be contesting with any who  
profess themselves to be maintainers of the Government of this  
Church, it is wished their Works were consonant to their words,  
and made them credible to all on-lookers: Certainly however  
they may please themselves, this is not the ordinary opinion  
that most men have of them.

### PROTESTATION Defended.

**V** Hat opinion most men have of the Protesters is not  
much to their disadvantage, if the greater number within  
the Land be admitted judges to Pious men and true Pety. I fear  
all that arrive beyond a meer formality, shall be condemned for Hy-  
pocrites. I would not appeal to the generality of the Land in the  
matter of judging what is right and wrong in *jure*, betwixt those  
that are for the Publick Resolutions and the Protesters; but I dare  
freely hazard to the vote of the major part in the Land the matter  
of fact which is the thing in contest betwixt these that are for the  
Publick Resolutions and the Protesters; that is to say, whether  
the Assembly at *Dundee* and *Edinburgh* be keeping their former  
Principles, yea, or not? If you will ask any, even of the Malignant  
party (at least all that ever I could speak with my self, or  
hear of, from any other) they will tell you the Kirk was wrong  
before, but now is become right since the King came to *Scotland*,  
and these who are most grossly prophane and wicked in all the  
Land are now become great Zealots, and stout patriots for the late  
Assemblies, though before they were haters of all Kirk Judica-  
tures.

PRO.

adjuvant removere minis, ubi non huiusmodi sed etiam  
 PROTESTATION Reviewed.

**N**Ext they speak of a party of insufficient, scandalous, & ill-affected Ministers, &c. complying with the times, expressing their disaffection to the Work of Reformation, as they found opportunity, as in the time of James Graham, and the unlafulful Engagement, who got greater advantage by the Publick Actings for bringing in of Malignants in places of trust: And who perceiving they were not able to endure cryall and purging, began the last year to lift up their heads, and being encouraged by the Acts and Censures of Dundee, have so strengthened themselves as to carry on Publick Determinations to their own ends, from whom (say they) what can be expected, but to favour every evil cause, to persecute such as seek the Lord in sincerity, suppress the power of Godliness, and open the door of the Ministry to such as for insufficiency, scandals, or disaffection, have been justly deposed, in regard whereof they think there is too great cause to make use of the Prophets words, Jer. 23. 14, 15. There be many things here deserve animadversion.

**I.** Although we deny not, but that in every Order there may be some out of Order, as Judas among the Apostles, and Saul among the Prophets, yet know we not of any such party as they speak of, nor did so much as any person of that kinde sooner appear among us, then according to the measure of his offence, he found the severity of Discipline. It would be seriously considered, whether or not by this Party, they mean the Body of the Ministry represented at Dundee, whom thus they would cast an odium upon; but what favour the Party that was truly such as they describe, found at that venerable Assembly, let their Acts and Declarations speak, which Declaration of theirs mentioneth another Party, that hath (alas)



*too long lurked among us, and under specious pretents brought their design to that pass we now see. These men should ( according to the common rule ) first have purged themselves, and taken this beam out of their own eye.*

#### PROTESTATION Defended.

**I** With the corrupt party amongst the Ministry were as thin sown, as he would insinuat, by telling there was a *Junas* among the Apostles, and a *Saul* among the Prophets. But the many Acts of Aids visible, for purging the Ministry by ordinary Judicatories; and because of their negligence, the Commissions appointed for Visitation, and the great work they had where they came, Visitations in other parts of the Land, ( where as much, if not more work of that kind was to be expected ) being interrupted by the troubles of the time, and other impediments, the grosse ignorance not only of the People, but even of the Elders in many Congregations, where their present Ministers have been living amongst them, some twenty, some thirty years, and have not so much as taken pains to instruct them in the necessary grounds of Religion, together with the neglect of Discipline during that time, and yet such suffred to remain in the Ministry, the scandals of many Ministers for drunkenness and other common vices, together with their godless carriage at home and abroad, are more then abundant proof of what is alleged in the Protestation. And though this Reviewer is pleased to say, they knew not of any such Party, yet alas it is more palpable to the mourners in Zion, then that they need any further proof thereof, then to be conversant amongst many of them but a very few dayes, and I know that some who concur with the late Assemblies, will not deny it, but I trust do make conscience to mourn for it in secret before the Lord. The Protestation doth not speak of the Body of the Ministry, but a corrupt Party which had too great influence at the Assembly in *Dundee*. Whereas he referreth his Readers to the Acts made at *Dundee*, to know what favour the Party that was truly such, found there, no such Acts are ordinarily to be seen, I am sure, but such as are made against the Protesters and the Dissenters from  
the

the Publick Resolutions are to be readily found in all hands. If the thing he meaneth, be the slight Act made against the divisive Supplication, what hath followed thereupon for execution lesse ur more? If he mean that the Supplications of Ministers formerly deposed for grosse faults, were not granted, he may remember the Politick argument used at *Dundee*, and renewed at *Edinburgh* upon the same occasion, viz. That it was good to abstain from present reponing them, because of the *odium* it would bring upon them, and for that Declaration he yet again mentioneth, I have told him it hath been answered.

### PROTESTATION Reviewed.

**I**T is true indeed, and I trust the Kirk of this Nation hath no reason to repent, that she still hath some, who (during the prevailing of the Prelats) were carryed down with the tide of the times, even to give subscriptions according to the then way of entry, and being weightied therewith, do comfort themselves with Paul, that God will be mercifull unto them in that which they did ignorantly. But for those horrid Oaths they speak of, nothing is known but the common subscription: and if ought concern the Kirk to know more, it should neither have been so long concealed by those who appropriat to themselves the title of the Godly, nor now revealed at such a time, and in such a way. As for their subscriptions, they were generally known, yet notwithstanding hereof were the subscribers even at first invited to the Covenant, and some of them with the first appeared against the Service-Book, and many of them have not to this day fallen from their stedfastnesse, neither were all that have fallen of that number. But for further and full clearing of this, I offer these things: 1. Some of the prime of their number, are also, if not more grossely guilty of the ill, then any of ours. 2. There are of our number ten for one of theirs, who in that hour and power of darknesse, bare the heat and hard of the day. 3. Scarce twenty of them are yet of six years standing in the Ministry, & but about five only of them were Ministers, when the Nationall Covenant was subscribed. 4. And generally all the old Ministers, and those that were admitted before the Episcopall encroachments, are for the Assembly. 5. And lastly, would

*Would we speak of those that suffered under the Prelats, the Assembly will be found to have three for it, where one is against it.*

### PROTESTATION Defended.

**V**Vhat the Writer of this Paper doth mean by the common subscription, I do not well know; if by common he mean that, to which most of the Conformists did subscribe, I say, that was an horrid oath, as doth appear from the Records of their subscriptions. If by common he mean the lesser oath, and accompt the matter of that oath common; I shall set down the true Copy both of the greater and lesser Oath the Conformists did subscribe, and let the Reader judge, if the least of the two may not be accompted horrid enough for a Minister of Jesus Christ to swear at his entry to such an holy Calling: the greater Oath sweareth to practize all the corruptions of the time, and implicite obedience for what should be after concluded, under the pain of deprivation, infamie and perjury. The lesser Oath sweareth solemnly to the practice of the corruptions of the time, and particularly for Episcopacy, and the five Articles of *Perth*, and what should be lawfully concluded thereafter by the Church, as then constituted of Archbishops, Bishops, &c. under the pain of deposition and perjury. The Protestation doth acknowledge, that the Lord was graciously pleased to give repentance to not a few who were involved in that defection; and concerning that which he saith, that it should neither have been so long concealed, nor now revealed at such a time, and in such a way. It is not long since it was made known to these who have joyned in the Protestation, neither had it been revealed now, unless men since their seeming to repent thereof at the taking of the Nationall Covenant, had by their after-carriage discovered their hypocrisie and rottenness of their way: beside, it hath only been revealed in the generall, and the Protesters have not published their names. Their subscriptions (saith he) were generally known, I grant their conformity was known, but not their subscriptions, at least, that it was to an Oath, and so horrid an Oath. I do verily suppose, and not without ground, that some who have subscribed, as aforesaid, have forgotten that the Oath was so gross, otherwife why would they deny it, when the subscription is in Record.

cord under their hand? He saith, some of them appeared with the first against the Service-Book, I think few but semi-Papists or Atheists would have willingly embraced that Book, though fear might prevail with some for compliance, but how few of them appeared at first against Episcopacy, and the five Articles of *Perth*, to which they had sworn? He offers five things to clear the matter further, but two of them are coincident. As to the first, for any thing I know or can learn, he can instance but one of the number of Protesters who complied with the Prelats, which hath been matter of humiliation, and a mean sanctified of the Lord to fit him the more for opposing these and the like corruptions; he hath now for fifteen years given large proof of the sincerity of his repentance, and hath been very usefull in his station, for promoting the Work of Reformation, beyond others, of whom more was expected. And as for the number of those that stand for the Publick Resolutions, who subscribed Oaths, or at least practised the corruptions of that time, he will finde their number no smaller then some hundreds. The second thing which he proposes to consideration, is coincident with the fifth, for, who did bear the heat and hard of the day in that hour and power of darkness, but these who suffered under the Prelats; yet in the second he saith, that these of their number were ten for one with these that are Protesters; but upon better consideration in the fifth, he falls down to three for one, and though he had said onely, that their number which suffered under the Prelats was equal to the number of Protesters that suffered, he should upon a just computation, have found difficulty to make it good; but because he is accustomed to speak big words, I shall pass this as a brag to beguile simple Readers, though I think I might say, the sufferings of the Protesters were greater; but blessed be the Lord for the faithfulness of all that suffered. As to the third, I do so far differ from him in my computation, and (I suppose) I know the Protesters near as well as he, that I can scarcely find twenty of them under six years standing in the Ministry, which then concurred in the Protestation, though blessed be the Lord *their number increaseth*. If he can help my memory in two or three, that will be the most, he saith, that about five of them only were Ministers when the Nationall Covenant was subscribed, which is about fifteen years since, I can find him about five times

five, who were then Ministers, that joyn in the Protestation; and there be diverse more who are unsatisfied with the Publick Resolutions, though they adhere not to the Protestation. And what great advantage is this, I pray you, that he so earnestly hunts after? Whether is it more commendation for severall of the Protesters that were ready to have entered into the Ministry, to forbear to enter, by subscribing to such sinfull Oaths; or for many of these that are for the Publick Resolutions, that they entered by such a corrupt way, and so were Ministers when the National Covenant was subscribed? would this argument have any weight with judicious men against Mr. *George Gillespies* testimonies for the Cause of God, because he entered not into the Ministry till after the Reformation began. 4. He saith, that generally all the old Ministers and these that were admitted before the Episcopall encroachments, are for the Assembly. The defection began in 1597. and upon King *James* his entry to *England*, (which is about fifty years since) the Episcopall incroachments began, and all opposers of the defection were discountenanced, and such as were for it, favoured and encouraged by the King, State, Bishops, and corrupt Assemblies: for my own part, I know few that can be of that standing in the Ministry, but I know some who have been about that time in the room of the Ministry, who are not long since deposed for insufficiencie and scandals, and like enough there be more of that sort. Let this Reviewer do the worst he can to cast aspersions and reproaches upon the Protesters, I do believe that in no time of the defection of the Assemblies of this Kirk, there can be produced so great a number of faithful witnesses that adventured to give in Protestations against the corruptions of the time; and these on either hand also. This is to me a token for good unto the Land from the Lord, to whom alone the praise is due.

*The greater Oath.*

“WE by thir presents, solemnly  
 “ swear, and faithfully promise to observe and fulfill the  
 “ Articles and Conditions following; they are to say,  
 “ 1. That we shall be leill and true to our most gracious Sovereign the Kings Majesty and his Highnesse successours, and to our  
 “ power shall maintain his Highnes right and prerogative in Causes  
 “ Ecclesiastick.

2. That

" 2. That we shall be obedient to our Ordinary the Archbishop  
 " and to all other our Superiours in the Church, speak of them re-  
 " verendly, and in all our privat and Publick Prayers, commend them  
 " and their Estate to Gods mercifull protection.

" 3. That we shall in all places by conferences, and where we have  
 " occasion in publick preaching, maintain the present Government  
 " of the Church and Jurisdiction Episcopall, and shall by reading  
 " be carefull to inform our selves of the true and lawfull grounds  
 " thereof, to the end we may stand for the same against the adver-  
 " saries opposers of the same.

" 4. That we shall be diligent to our power in the duties of our  
 " Calling by residence with our flock, and not depart there-from  
 " without licence of our Ordinary the Archbishop.

" 5. That we shall study to advance the Estate of the Church in  
 " generall, and particularly the estate of the Church of  
 " whereto we are to be admitted and received, in all the profits and  
 " commodities that possibly we can.

" And lastly, that we shall live peaceable Ministers in the Church,  
 " subjecting our selves to the orders that therein are, or shall be e-  
 " stablished; and by all means that we can use, procure others to  
 " the due reverence of the same; which thing if we shall contra-  
 " veen (as God forbid) we are content upon tryall and cognition,  
 " taken by our said Ordinary, without all reclamation or gainsay-  
 " ing, to be deprived of our Ministry, and be reputed and held in-  
 " famous and perjured persons for ever. Subscribed with our  
 " hands at

*The lesser Oath.*

" I now to be admitted to the ho-  
 " ly function of the Ministry, do faithfully promise, and by my  
 " great Oath solemnly swear, That I shall be obedient to all the  
 " Acts and Constitutions of the Church, made and agreed upon in  
 " the by-past Generall Assemblies, or that hereafter shall be law-  
 " fully concluded, and particularly to the Acts concluded at Perth  
 " in the Generall Assembly which was kept there in the moneth of  
 " August 1618. And if I shall fail in the performance of this my  
 " Oath and Promise, I am content that upon the tryall thereof I be  
 " deposed as perjured and unworthy to bear any Function in the



"Kirk. In witness whereof I have subscribed thir presents with  
"my hand.

### PROTESTATION Reviewed.

**A**S for any who by word or deed at any time appeared against the late Reformation, they still found so little patrociny from those who are now Assembly-Men, that I am sure, if we should serve the Protesters with the like measure, for transgressions of the like nature, and perhaps greater, they would cry out of cruelty and persecution. As for the Epithets they give that Party: I confesse, ill enough cannot be done to, let be spoke, of men who are truly such as they describe: But we desiderate here both charity and prudence; at such a time, and in such a way, to sling filth upon the faces of their Brethren; and that (for ought yet seen or known) most unjustly.

### PROTESTATION Defended.

**I**F these who appeared against Reformation by word or deed had found so little patrociny with the late Assembly-men, many of them had been small friends to themselves, as is too well known, not onely to their nearest neighbours, but to these that live at a good distance from them. And why did the Moderator of their late Assembly tell them, that the deposed Ministers both thought and said, they had many good friends amongst them? The Protesters were never accompliced guilty of that fault, and himself afterward challengeth them for being of a rigid purging humor, so I know not what transgressions of the like nature he hath to charge them with. He grants in his fourth Observation, that the epithets may be applyed if the Party were such as is described, when he shall seriously consider what hath been said for evidence thereof, he may perhaps change his judgment about them, or at least, not defend them so confidently.

## PROTESTATION Reviewed.

**T**hat the Publick Actings were for bringing in of the Malignant party, to places of power and trust, and bearing down such as had been straight in the Cause, stirring up the Civil Magistrate against them, and subverting the liberty of the Word in the mouth of Christ's Ambassadors, for reproof of sin, to the immediate judicial cognizance, restraint and censure of the Civil Magistrate, will appear a masse of malicious reproaches, by shortly setting down the true stories related to: But I must first tell, that the odious term Malignant doth not appertain to them, who having satisfied for their offences of that kind, according to the Order prescribed by these mens own assent and advice, keep themselves free from new out-breakings of that abjured iniquity; And if we walk not according to this rule, many of them will be forced to hear, what for the present I purpose not to speak. And next adde, That all the birds of their feather, were not so straight in the Cause, as they would seem to insinuate here: And on the other part, some, whom they term Malignants here, have given unquestioned evidence of their affection to, and are still suffering for that Cause. Now, the Stories related to, are these two; The one so well known, that we need no more but remember how, when, and upon what pinch of necessity, (which themselves know how it came) the Commission of the Kirk being enquired by the State, who might be employed for the necessary defence of the Country at such a time: The Commission of the Kirk gave that Answer, which their duty to GOD, their Mother Kirk, Native Country, and the Protestant Interest, extorted from them, and which all Nations and Incorporations whatsoever, will, and do allow and practise in such a case. But, that People may rightly judge of it, for it is ordinarily mis-represented, we desire them to get, and ponder the Commissions own Papers. The other

Story is shortly (in so far as it is most material) thus; It being represented by the Committee of Estates, to the Commission of the Kirk, what hazard the Garrison of Sterlin was in, by their Ministers there preaching, and otherwise dealing, they withal signified how they behoved to take some course for securing the same, the Commission desired their Lordships, that they would not meddle with the matter, till they had first dealt with them, and returned their report of the Issue, which being assented to, the Commission wrote for them to St. Andrews, where they met with them; and when by conference they would not receive satisfaction, began to entreat them first to give assurance, that they would not obstruct the Levies, but this they refused: Thereafter, that they would be pleased (for Peace sake) to withdraw for a season from Sterlin, and they would provide their places; but this they also refused, although Mr. Blair then (apparently a dying) did gravely obiect them, both for the one and the other; which being represented to the Committee of Estates, and they thereafter informed, how those Ministers continued in their former practice, they wrote for them once, and again to come to Perth; But ere they came (the most part of the Committee being removed to the North) they who remained, desired them to stay at Perth or Dundee, till the rest should return, against which they protested in very high terms, as encroaching upon the Ministry, &c. By the time the rest returned the Parliament did sit, who desired the Judgment of the Commission, whether or not the Committee of Estates had made any encroachment upon the Ministry and Government of this Kirk, by detaining these Ministers, and give their advice what course the Parliament should take in relation to them, for securing the Garrison of Sterlin; the summe of the Answer thereto was The Brethren might lawfully protest, that nothing be done prejudicial to the Liberties of the Kirk; but that they did not see that the Committee of Estates had encroached thereon, by that which they had done; and that they could give

give no advice to their Lordships, the securing of a Garrison being a thing not competent to them. After which, some of those Ministers friends entreated some of the Commission, to deal with the Parliament, to let their Brethren go home, undertaking for them, that they should not further offend, which the Brethren of the Commission did, engaging themselves to be answerable for their carriage, whereupon they were presently dismissed. This being the true Story, let any judge of the truth of the former Calumnies.

### PROTESTATION *Defenda.*

**T**WO things he denies, and saith they are malicious reproaches: The first is, the in-bringing of the Malignant party to places of power and trust; one while he pleads their repentance, and would have them to be no Malignants: that have made a fashion of repentance, without any evidences, yea, there were contrary evidences in their speeches and actions: another while he pleads necessity for it, and saith, the Protesters know how it came; which is true, indeed, though not perhaps in his sense: They too well know from sad experience, how that necessity was plotted and contrived at the *Hague* and *Breda* in *Holland*, and how the design was driven on in Court, State and Kirk in *Scotland*, all other necessities were but pretended; and what necessity is that, which should make a People, confederated with God in a solemn Covenant, to give up the Lords Covenanted Interests and People, to the power of his and their Anti-Covenanted Enemies, whose hands have been, more then once, imbrued in their blood. Then he referreth to the Commissions Papers, for further satisfaction; but these have been sufficiently answered by former Papers, to which no Reply hath been given. I find in the Commissions large Paper, in answer to the King and Parliament, concerning the Ministers of *Sterlin*, this Defence of their Answer to the Parliaments Quare, which is brought forth by them; with confident words, as an undeniable Argument, Either the Malignants will satisfie, or not satisfie; if they satisfie, then they must be admitted to the Covenant and Ordinances, and if to these, then they may be admitted to fight for Religion, King and Country &c. If they

they satisfy not, then they are to be Excommunicated ; and by the Publick Resolutions Excommunicated persons are excepted from being employed. The Vindication of their Assembly hath another Answer, that the Publick Resolutions were, *indeterminati juris*, as to any former Assembly. Where first I desire it to be observed, how one Defence interfeereth with another. What a sad business is here ? some few Members of the Commission without advertisement sent to others, do, at the desire of the State, determine a matter of Doctrine with great precipitation ; contrary to received and known principles : and then they strain their wits to devise several sorts of Arguments to maintain the same. (1) What a strange conversion is here of Thousands, all on a sudden, following upon an Act of Parliament ? bestowing places, though just now, many of them were in Arms against Religion and their Country, and others on their way to joyn with them. The State first nominates Malignant Officers, and then they come to make a bare shew of repentance before the Commission of the Kirk, and they accept it. (2) Observe, that it is not true which is alleged for defence of the Commission, that they prescribed good Rules, but the State transgressed them ; for according to the Commissions dilemma, brought to maintain their Resolutions, the State did not transgress the limits prescribed when they nominated persons not yet Excommunicated, for saith the Commission, If they satisfy not, they are to be Excommunicated, and so are excluded ; and to say the truth, the State could not think that the Commission judged any to be obstinate enemies, or notoriously flagitious, who neither were Excommunicated, nor under process of Excommunication ; and so the Commissioners of the Kirk were chief in the Transgression, for they did not Excommunicate any one Malignant in *Scotland*, but shortly after their Answer did relax from Excommunication a chief Malignant, who had been Excommunicated a little before their Answer, for being a Ring-leader of a present Rebellion. (3) How contrary is that to former Principles, to reason from mens being admitted to Repentance, to their Employment in Places of Trust (for that is the thing complained of in the Protestation, and answered by this Reviewer) the Acts of Assembly 1648. 1649. and 1650. and Declarations of the Commissions of the Kirk, speak expressly against employing of Malignants, notwithstanding any outward satisfaction : Is not the so-

lemn Acknowledgment of our great sin, in employing Malignants, made particularly in relation to the employing those who had given satisfaction to the Kirk? for none were employed in places of power and authority but such as had first satisfied the Kirk. Doth not the Assembly 1649. expressly distinguish betwixt Admission of Malignants to Repentance, and their Admission to Trust; which, even in Kirk Sessions, is discharged without express warrant of Assembly? And then (4) As to their Repentance. How few of the great multitudes admitted, were received, according to the Order prescribed in the General Assembly at *Glasgow*, and the General Assembly 1649? Upon Evidences, it was in the judgment of many judicious and pious men, the very Cape-stone of that Defection, that the Lords Ordinances were made to serve the corrupt ends and designs of men, and the mocking of Repentance, made a patent way to Trust and Preferment: What better was it, then if the Priests of old had admitted Lepers into the Lords House, and then to excuse themselves, had pronounced them all to be clean when the Leprosie had sprung up and spread in their bald-head; that certainly should be accompred a double guilt. As for those, which he saith, are free from new out-breakings, all that I know of that kind will hardly exceed (that which we could only call) a perfect number, their Repentance is very rare; it is too manifest that many of them have, according to their mutable principles, gone from one extreme to another. For his boasts of what he can speak, of any of the Protesters, they fear him not, only let him speak no more hereafter then he can make good; which is the best way to bring himself into credit again.

The other thing which he denyeth in this place, is, The subjecting of the liberty of the Word in the mouth of Christs Embassadors, to the immediate judicial cognizance, restraint and censure of the Civil Magistrate. This is so fully cleared in the Review of the Vindication, as I need, say nothing in answer to the Relation here made, only I observe this difference betwixt the Vindication and this Reviewer, that the Vindication denieth that the Magistrate confined the Ministers of *Sterlin*, being stirred up thereunto by the Commissioners of the Assembly; and the Writer of this Paper, to avoid the inference that may be made upon the Magistrates judging them *in prima instantia*, saith, That the Magistrate did convene them upon a

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Representation made by the Commissioners to the Committee of Estates, but he knoweth that the Commission of the Kirk had passed no judgment against these Ministers, nor indeed could they, walking within the bounds of their Commission; yet did they approve the Proceedings of the State, without so much as hearing the Defence of these Ministers, though present in the same town where they were sitting.

#### PROTESTATION Reviewed.

**A**S for their purging humor, which, time, with these sad dispensations, might have purged out of them; but belike it will never leave them. We grant indeed, the Kirk should be careful to purge out the old Leaven. All our Question is, anent the manner how: And I shall desire them in the fear of God, to consider whether their practise in this hath been in every thing squared to the Apostles Rules, 1 Tim. 5. 19. Tit. 2. 10. Gal. 6. 1. Jud. 22. 23. And whether or not they made it a politicall screw, to wind themselves into all places of power and Authority, Civil and Ecclesiastical, and a mean of revenge, exercising it uncharitably and unreasonably.

#### PROTESTATION Defended.

**H**OW offensive must this needs be both in the ears of God and good men, that one who pretends to be a Patron of an Assembly of the Kirk, should so publicly and scornfully reproach that necessary and covenanted duty which the Assemblies of the Kirk and their Commission, in their Declarations, Warnings, and Remonstrances, above the number of Twenty, have pressed upon the Parliament and Committee of Estates, from the Word of God and our Covenants, as they would avoid the Lords eternal wrath on themselves, and a curse upon the Land, and still challenged them as negligent and defective; in all which the men of most deserved estimation in their Assemblies had a very great hand. The Causes of Humiliation presented to the State before *Dumbar*, at *Leith*, and the Causes after *Dumbar* at *Sterlin*, shew and acknowledge, the not-purging the Judicatories and Armies, according to our Vows and Professions to be a great cause of the Lords wrath upon the Land; after-

afterward he would seem not altogether to condemn the duty, and would state the difference upon the manner, and by the words he speaks and texts hinteth, he seems to desiderat justice, prudence, charity, and what not? It would please such a Master far better to sit idle, then to work; but such, to whose hearts the Lord hath made the language of His Words to speak, though they do readily acknowledge a great mixture of humane infirmities in their performance of all duties, yet they are so far from thoughts of repenting what they have done in that matter, as they desire to mourn before the Lord, that the work of purging hath been so much slighted in all Judicatories both Ecclesiastical and Civil: Sometime he undervalues the Protesters as a company of young men of small accompt, and at other times he holds them forth as men who had a great sway in Judicatories of Kirk and State. He saith, Purging was made a politic screw, to wind into Power and Authority in Kirk and State. To which I answer in his own words, *That such hainous accusations must not be taken upon trust, when nothing is said to make them appear*; especially when they are spoken by a person who takes more pleasure to reproach then to reason. I am sure if it was before acceptable in Judicatories to speak for purging, it is now more acceptable to speak against it, and I think I may in the fear of the Lord, desire good men who were very industrious and zealous for purging the House of God, the Judicatories and Armies, and now are engaged in the way of the Publick Resolutions, to consider the boldness of this man (whom they do well enough know) and either to take with the thing he charges upon their former actings, and to let the world know that then they were wrong, but now are right, together with the Reasons of their change, or else to be sensible of their lifting up the head of such men, by declining to their way, and to remember whence they are fallen, and to repent.

#### PROTESTASION Reviewed.

**A**S for any power in any to carry Publick Determinations, to any Wrong ends, We can, and do bless God, the contrary is known to be true, and all the Assemblies Determinations speak the same language to the whole World; yea, I hope to their consciences also, when the heat of their passions is a little allayed.

Representation made by the Commissioners to the Committee of Estates, but he knoweth that the Commission of the Kirk had passed no judgment against these Ministers, nor indeed could they, walking within the bounds of their Commission; yet did they approve the Proceedings of the State, without so much as hearing the Defence of these Ministers, though present in the same town where they were sitting.

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PROTESTATION *Defended.*

**T**HE ACTS made in their Assembly at *Dundee* and at *Edinburgh* against faithful Ministers, Elders and Expectants, (from which some of best esteem dissented) do evidence, That Publick Determinations are carried to wrong ends ; which made a worthy Brother, (a Member of the late Assembly at *Edinburgh*) gravely to tell them when these ACTS and Overtures passed, That the words of the Prophet *Micah* against the Prophets in his dayes, might be applied to them; *chap. 3. ver. 5. They bite with their teeth, and cry, Peace.* He saith, That the Assemblies Determinations speak the same language ; their late Assembly at *Edinburgh* speaks the same language with that of *Dundee* , but neither of them speak the language of former Assemblies since our Reformation, as the Papers sent to them from the Keeper of the Registers of the Assembly (which they refused to reade) do fully shew. Their language is the same with that of the Parliament and Committee of Estates 1648. pleading for the Unlawful Engagement : It doth also well agree with the Kings Declarations , and the *Oxfordian Doctors* Arguments from the light of Nature and practise of Nations, for employing Papists to defend his Person and the Protestant Religion, as their Arguments are for bringing in Malignants to defend the work of Reformation, and the Protesters language is the same with the Declaration and Answer of the Commission of the Kirk and General Assembly 1648. and the Reply made in the year 1642. whereby it doth appear whose word is *yea* and *ay*, 2 Cor. 1. 17, 19. and who walks in the same steps, and in the same spirit, 2 Cor. 12. 18. and who build again what they destroyed, and make themselves transgressors ; and who condemn themselves in that which they allow. Rom. 14. 23.

## PROTESTATION Reviewed.

**F**Or the following words, which are of the stamp with the former, I shall only add, 1. What measure every one that cometh hither, their full length may expect of them, if their former actions had not sufficiently cleared their present expressions put out of all doubt.  
2. It is not one of the charyacteristical properties of the Godly, to be

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of assuming that Title. 3. Such heinous accusations must not be taken upon trust, when nought is said to make them appear. 4. I believe, the Assembly knoweth of none received to the Ministry, but according to the Publick Order, and when ought shall appear to the contrary, will take such course therewith as in justice accordeth.

### PROTESTATION Defended.

TO the first I answer, that he doth well to grant, that the present expressions and former actings of the Protesters do agree, the like cannot be said of all that are for the Publick Resolutions; though it be too true of many of them, the Protesters are indeed for purging out all insufficient, scandalous & ill-affected; but that is very far from judging such as come not up the full length that they desire; he knoweth what measure faithful Ministers and Professors got in their Acts at *Dundee*, and he may remember his own intimation page 5. of a necessity to hold them as Heathens and Publicans. To the second I say, that they do neither often assume, nor at all appropriate (as he saith elsewhere) the title of Godly to themselves, the subscribers of the Protestation are speaking of others to whom these of best account in their Assemblies, will not deny the testimony of godliness; and yet when they are reproached and condemned, they may even concerning themselves, use some freedom in their Vindication, for which there be diverse examples in Scripture. To the third, seeing that Assembly to which the Protestation was presented, accompt themselves a Judicatory, why did they not acknowledge the relevancie of the grounds, and then they might have desired the Protesters to prove them, wherein if they had failed, the Assembly had the greater advantage, but they were loath to put the businesse upon that issue. To the fourth, I desire him to consider what Mr. *John Knox* said to the Councell of *England*, when they challenged him for doing contrary to the Publick order, his reason was (said he) because their Publick order was contrary to Christ's order: And so is their Publick order at *Dundee* contrary to the first good old constant order of this Kirk, established according to the Word of God, which was to be very watchfull in admission of Ministers, as appeareth by Mr. *Knox* his last Letter to the



Generall Assembly, a litle before his death. But doth not the Writer of this Paper know, that some deposed Ministers are admitted contrary to publick Order of the Assembly 1649, and 1650, in severall places, and particularly within the Synod of *Tividale* and *Mors*? I believe he is not ignorant of it, and however, I am sure a great part, if not the molt part of the Assembly did know it; and the whole Assembly might have known it, if they did examine Synod-Books and their Proceedings.

#### PROTESTATION Reviewed.

**F**Or their allusion to the Prophets words, I shall desire them seriously to read them again, and perpend if in conscience they be applicable to the present points of differences. Next, they tel us, it shall be their purpose to maintain the Doctrine, Worship, Discipline and Government of this Kirk, and particularly the Nationall Assemblies, so long as they are preserved from corruption in the constitution thereof: But many need better Arguments to perswade them of this, then their bare Profession or practice this year and the last; Of which we may well say, What ever be the purpose of men, it is evidently the aim of the devil to ruine Generall Assemblies, and so to raze the walls of our Jerusalem; And they woud do well to consider if, and how far they have been instrumental to drive on that design.

#### PROTESTATION Defended.

**T**He Prophets words were well considered before they were set down in the Protestation, and they are very applicable to the Party of which the Protesters speak. It is known to the World what some of the Protesters have done for maintenance of the Government of this Kirk; I may say of them all without any boast, that they have done more for it, then any who question the reality of their Professions. There is no doubt but it is the Devils design to ruine Generall Assemblies, and every Ordinance of Christ if he could, but the way by which Satan hath most advanced that design hath been through their own corruption, and when they were faithful, opposition hath little prevailed.

## PROTESTATION Reviewed.

**B**ut they would make some clearing here, by telling us, that all who are acquainted with the principles and practices of our Worshy Predecessors, and of the learned & godly non-conformists in England, will easily see how far they are from their judgments and practices, who follow the wayes of separation. Belike they still dwell beside evil neighbours; but which is worse, they are hardly believed, when men call to mind and consider how now of a long time still they took the patronie of all that were suspected to follow those wayes. 2. What progress some of their chief and cryed-up men have made in those wayes. 3. What affection they still carry to them, and how familiarly they converse with them, even although excommunicates. 4. But especially how unavoidable separation is upon their grounds: For, if it be a matter of conscience for them to joyn with others in Civil duties, that necessarily belong to the Incorporation, whereof both are members, sure much more in Ecclesiastick. But a little time will further clear this.

## PROTESTATION Defended.

**H**ere he bends all his endeavours to make it appear, that the Protesters incline to separation; but he answers not what is said in the Protestation for their vindication, to wit, that their wayes are agreeable to the principles and practices of their Predecessors and the Non-conformists in England, he brings four considerations why the professions of the Protesters are not believed. First, he saith, that the Protesters still took the patronie of all that were suspected to follow these wayes; but what doth all this amount unto? For he saith not that they patronized these who followed, but these who were suspected to follow the wayes of separation. It is well known that too many have an evill eye against Reformation, and have suspected all that hath been done these fourteen years in the Lords Work, as tending to separation: But what will he say for his associats, who have not onely taken the patronie of men suspected for Malignancy, but of these that were condemned and excommunica-

municated for being murderers of the People of God ; yea, and what if they have recommended them to Publick trust and employment? To that which he alleageth in the second place, I answer, that this is the old Prelaticall song against the Non-conformists, because some of their number turned Separatists; therefore to say that they were all for separation, though they kept Christs middle way between extreams, and did much more against Separation by Word, Writ and Print, then all the Prelaticall Party; And I may say the like of the Protesters, that they have taken more pains by word and writ, to prevent and remedy the declining of some to the ways of Separation, then all that are for the Publick Resolutions have done. Beside he would consider what is said in the Representation which was given in before the Protestation : *How great a snare your former actions which were not to edification have been to some people to tempt them to the way of separation, and to the shaking of the government of this Church, &c.* He may also bethink himself what great numbers of these that were most zealous for the Publick Resolutions, have either departed from their Principles to the contrary way, against which they were fighting the former year; or otherwise, if they be still walking upon their principles, it is true which the Protesters allege, that the Publick Resolutions lay a foundation for conjunction with all parties whatsoever. To the third I say, that he hath forgotten the rules recommended by him to the Protesters in the preceding page, *ancient purging out scandalous, insufficient and ill-affected Ministers.* Will he not allow the same moderation to men reputed godly, when they fall into an error of judgment ? He recommended to the Protesters consideration on *1. Tim. 5. 19. Tit. 3. 6. Gal. 1.* Brethren, if a man be over-taken in a fault, ye which are spiritual restore such an one in the spirit of meeknesse, considering thy self lest thou also be tempted. He recommended also *Jude 22. 23.* and of some have compassion, making a difference, and others save with fear, &c. I wish these rules had been observed in the excommunication of some: for rash censures, bring authority in contempt. I adde unto these another place, *2. Thes. 3. 14, 15.* and if any man obey not our word by this Epistle, note that man, and have no company with him, that he may be ashamed, and yet count him not as an enemy, but admonish him as a brother. And I say no more, but desire that he and his party may

be as studious to observe these rules in their censures, as the Protesters are desirous to make conscience of keeping these rules in their conversation. As for his fourth consideration, he mistakes the question, there was more in the case of non-concurrence with the Forces of the Kingdom, then association with Malignants: for the state of the quarrell was changed from what was agreed on by State, Kirk and Army, before the fight at *Dumbar*, as hath been shewed before. Next, the interest and ends of the War were changed, when the Malignant Party became the predominant and prevalent part in Judicatories and Armies; It is one thing to joyn with a few evill doers in a great Army: It is another thing to joyn with the Congregation of evill doers; and where notorious evill doers bear the sway and rule in government. There was a third thing, that though all were clear anent the unlawfulness of the Invasion, and did concur to oppose it; yet very needlessly severall were made to scruple in their actions, and their hands were weakened by the States slighting and rejecting the offer of a Treaty for peace, which was made by General and Councell of the English Forces not long after the fight at *Dumbar*, seeing it had been an easie matter in a few dayes to have made tryall and discovery; whether there was any reality in that offer or not, but not so much as an answer was returned by word or writing to that Letter, notwithstanding that it was once resolved on by the most part of the Members of the Committee of Estates that were then present at *Stirling*. Now it is evident, that these things are of a different nature from the question about separation from worship, because of the sins of fellow-worshippers. But yet further I say, there are many clear differences betwixt non-concurrence with the Malignant Party in Arms, according to the Publick Resolution & separations from the Ordinances of God, for the sins of fellow-worshippers: for in acts of worship, the effect is to every man according to his faith, but in fighting together there is one common effect resulteth to all, & all must share therein, according as the Lord dispenseth a victory or defeat; now the Lord is with his friends and bleseth them, and against his enemies and curseth them; therefore *Isobaphat* and *Amaziah* are forbidden conjunction with Israel, 2 *Chron.* 19. and 25. And to expresse it further, I give this Instance, that when men joyn in Armes, they fight one for another; but in participation of the Sacrament they

do not Communicate one for another; also there is no implicate obedience to be given in Acts of Worship as there must be in war in some cases: For inferior Officers and Soldiers are sworn to obedience by their military Oath, and if they should refuse untill they understood a reason for the command given them, 't would be judged Mutiny, and worthy of death: Therefore friends, and not our bloody Enemies are to be intrusted as Commanders, likewise there are not such Commands, Prohibitions and Covenants in the one case as the other; and we see in Scripture that *Jehosaphat* and *Amaziah* are forbidden conjunction with the Israelites in war, yet in case the same Israelites had come to *Jerusalem* to Worship, *Jehosaphat* and *Amaziah* had been obliged to joyn with them in Acts of Worship; there be diverse other differences, but because they are set down in other Papers for answering the same Objection, I shall not repeat them here. In the last place I shall add a further consideration, and that is even in the case of abstaining from conjunction with these that not onely come the length of profession, but seriously to essay to joyn themselves with the Church, which it seems this Reviewer doth condemn as altogether unlawfull in any case whatsoever. There is great difference betwixt open enmity against the Lord and his Work and bloody persecution of his People, and betwixt common scandals; these two are not to be confounded together, for actuall enmity suspendeth the duty of all relations, so long as it is continued, even between Father and son, and husband and wife, at least these duties which cannot be performed without reall danger; for natures light teacheth, that one would not trust himself on the same bed or room with another whom he had found diverse times endeavouring to cut his throat; but common scandals do not suspend the duty of relations, for a son is bound to do duty to a father under censure for grosse scandals. Before *Dumbar* the Remonstrators did joyn in Armes with known scandalous persons, yet they would have scrupled to have joyned in Councils and Armes with notourly treacherous Rebels, that had been active and frequent in shedding the blood of the Lords People, unless they had seen evidences that they had repented of that enmity: But to make good what is before said, see *Acts* 9. 26. The Disciples at *Jerusalem* were all afraid to joyn with *Paul* who had been a persecutor, and believed not that he was a Disciple, though he essayed

to joyn himself to them, and no doubt *Paul* being so wise a man, and knowing how great offence his former carriage had given, did declare to some of them the manner of his conversion; when he did essay to joyn himself, yet he could not obtain this without *Barnabas* his testimony to the Appostles anent the sincerity of his conversion; It is wel said by *Calvin* upon the place, *& timendum erat ne periculum sibi temere accerterent si praevisissent se adeo faciles itaque timorem illis iusta de causa conceptum nemo vitio vertere debet, nam si ad redandam fidei rationem vocati fuissent non Paulum modo, sed omnes inferiorum furias intrepide provocassent.* It is the judgment of some Divines upon *Gal. 16, 17, 18* that *Paul* had then been three years preaching after his Conversion at *Damascus*, and in *Arabia*, before he came to *Jerusalem*; which if so, may further strengthen the Argument if there were need; and however *Acts 22 18*. Such was the Lords gracious condescendence (far different from the imperious and boisterous way of rulers upon earth) that though upon right information concerning *Paul*, all scruples might have been removed, yet he gave command to *Paul* to depart from *Jerusalem*, *make haste* (saith the Lord) *and get thee quickly out of Jerusalem, for they will not receive thy Testimony concerning me*; As for *Paul's* answer although Interpreters differ about the meaning thereof, yet it is most probable that his words are a confirmation of what the Lord had said, and an humble confession that they had reason to scruple in receiving his Testimony; and if *Paul* had been offering a reason to the Lord for his stay at *Jerusalem*, as some think, he would have added something about the reality of his Conversion; as *Barnabas* did for him, *Acts 9. 27*. But however, the Lord reneweth his Command, *vers. 21. Depart for I will send thee far hence to the Gentiles.* These considerations, together with the present practice of the Protesters may suffice to vindicate them from such calumnies.

#### —PROTESTATION Reviewed.

**A**S for an Argument drawn from the disclaiming corrupt Assemblies at Glasgow, or the following Assembly at Edinburgh, its affirming those corrupt Assemblies, were a chief cause of the evils we then groaned under. How weak, I say, such an Argument



ment will be for justifying their present practice, is palpable to any who will either look to the matter concluded, in these corrupt Meetings, or the manner of their procedure, or the particular reasons whereon they were condemned, in all which there being nothing alike; I wonder why they are alledged, except perhaps, they know many of their Profelytes will take upon trust, whatsoever commeth from them, or seemeth so borrow countenance from Glasgow.

### PROTESTATION Defended.

IT is to be observed, that where the Protestation upon good ground saith, *That the second Assembly after this last Reformation hath clearly determined the keeping and authorizing corrupt Generall Assemblies to have been one of the chief causes of the many evils which have befallen this Church*; he onely saith that is affirmed that these corrupt Assemblies were a chief cause of such. If any of the Protesters had spoken so barely, of so solemn an Act and determination of the Generall Assembly, it had been a Crime to have been noted with great Letters; but he also passeth over these words, *keeping and authorizing these corrupt Assemblies*, which are the words of the Act, and of no small use in this debate betwixt them and the Protesters; and if this late Assembly be corrupt, the forbearing to keep them, and to concur for authorizing them is so far from separation, that it is a duty so to do. In the next place, I observe that he seems to grant the nullity of the late Assemblies, if they be like unto the six corrupt Assemblies, either in matter, manner or reasons condemning the same; and if he shall be pleased diligently to peruse the Review of the late Vindication, he may see their likeness in all the three; though he yeeld that one of them is enough; As to that bitter scoff, saying, *That the Protesters know many of their Profelytes will take upon trust whatsoever commeth from them, or seemeth to borrow countenance from Glasgow*. I wish the Writer of this Paper had as great ability and dexterity to speak in things concerning Edification, and the promoting of godliness, as he hath for jeers and scoffs, wherein he seemeth to speak as one who had delighted to exercise himself therewith from his youth; but surely he is greatly mistaken in the truth of what he

faith, and if he shall ask these whom he calleth *Proselites*, I trust he shall find them in some measure able to render a reason of their doings, and that they act from a Principle of knowledge, and not of ignorance.

**PROTESTATION Reviewed.**

**T**HEY say they have a clear warrant from Scripture, to *W*pland abidzisse against corruptions: It is, indeed, but will they should have better grounds than any we have yet heard of, or can conceive, before they trouble the Peace of a Kirk, and so peremptorily conclude that a corruption, which they cannot prove one, yea what all, not only reformed Churches from the light of Scripture are persuaded of, but even generally all people from the light of nature, and upon the Principles of self-preservation, are convinced is a duty.

We passe for the present to give any verdict concerning some by-past Acts of theirs (which they mention) how good they were, or how true. What is said being sufficient to clear, that this their Protestation is also needlesse (so (as) no worse) as the following grounds given for it are frivolous, which themselves seem in part to assent to, while they say, they do it for all or some of the reasons following, and so insinuate, that some of them will not hold water, which (in my humble opinion) they might safely have affirmed of them all.

**PROTESTATION Defended.**

**W**HEN the Protesters bring Arguments from the Word of God, from sworn Covenants, and the Acts and Declarations of this Kirk, to prove a defection in this Kirk, and that in the Publick Resolutions they have departed from former Principles then this Reviewer takes himself to general Arguments from the light of nature, and self-preservation, &c. Which sheweth that it hath nothing to answer in particular to the Arguments brought against

gainst them: Many Acts and Declarations of th's Kirk have been made use of in former Papers against the Publick Resolutions, but never any one Act or Declaration could be produced for them; all their arguments from the light of nature have been answered formerly by the Protesters, and it hath been shewed that it is against nature's light to associate with actual enemies and bloody rebels, they have but a poor plea to plead before consciences bar, to say that nature taught them to pronounce absolution to all the Malignant Party, and to declare them friends to the Lord, his Work and People, without evidences of Repentance, to the end they might be strengthened by their help and assistance for defence of Religion and the Country. It is a sad matter that Ministers of the Word of God, who should magnify the Law and make it honourable should make it a handmaid to the light of nature, whereby it is to be feared the Lord may be provoked to remove Scripture light from his seers, and to let them walk in the light of their own fire, and in the sparks which they have kindled: I do not easily believe, that he who delights so much in reflections and aspersions against the se whom he disliketh, would pass any by-past acts of the Protesters (as he saith) if there were any thing he could with any shew of reason quarrell, yet he concludes the Protestation was needlesse, and the grounds of it frivolous, and he would fetch a proof hereof from themselves, because they say they do *Protest for all or some of the reasons following*, which saith, he doth intimate that *some of them will not hold water*: But he wittingly omitteth in the same place that they do also Protest upon the grounds before mentioned, wherein they all did agree, and these alone had been sufficient to infer the conclusion. The true reason of that expression, *for all or some of the reasons following* was this; There were amongst the Protesters against the late corrupt Assembly at *Edinburgh*, diverse who were fully perswaded concerning the sinfulness of the Publick Resolutions, and accounted the Assembly at *Dundee* corrupt, for the matter, yet had some doubts as to the form, but perceiving this year a corrupt constitution continued according to that corrupt act, and rule of constitution of Assemblies made at *Dundee*, they were clear, that it was their duty to Protest against this Assembly at *Edinburgh*, as corrupt, in the form and constitution: But the most part by far were clear, that it was a duty to Protest against the constitution

tion of that Assembly at St. *Andrews* and *Dundee*, yet did not judge it expedient to make two severall Protestations because of this difference when they agreed in the main: Therefore that all might joyn in one Protestation, that manner of expression was used; and what hath this Reviewer to insult in against the Protesters when all the matter is, that the number of the Protesters against the late Assembly at *Edinburgh* is increased above the number of Protesters against their Assembly at St. *Andrews*.

#### PROTESTATION Reviewed.

**T**Heir first reason is, That this Meeting hath its dependence, power and authority for its indiction, from that of St. *Andrews* and *Dundee*. Is not that to beg the question? and besides, hath no weight, neither in respect of us who hold and have determined it a free lawfull Generall Assembly, as indeed it was, and doth appear from the Vindication thereof, a nervous piece not yet answered, nor easily answerable; Nor in respect of themselves, and their Principles, who in their Arguments against that Assembly, do determine that Presbyteries may by mutuall consent, meet in a free, lawfull Generall Assembly; now the Commissions directed to this, do presuppose and import the mutual consent of Presbyteries.

#### PROTESTATION Defended.

**I**T is not a begging the Question, because the Reasons given in the Protestation against the Assembly at St. *Andrews* are cleared and confirmed, and that Vindication which he extolleth as a nervous unanswerable piece, is fully and convincingly answered, and refuted in the Review of that Vindication, and the Nullity of that Assembly therein demonstrated: and however the Writer of this Paper is pleased to commend the Vindication of that Assembly, yet the weak grounds held forth therein by a man of such abilities, have confirmed some concerning the unlawfulness of that Assembly. The  
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strength of the first reason given in the Protestation lyeth in this: That the Assembly which met at *St. Andrews*, and adjourned to *Dundee*, being usfree, unlawfull and corrupt, and having neither power nor authority to make Acts obligatory of this Kirk, much less to censure any Member thereof, or to make rules for Election of Commissioners to ensuing Generall Assemblies, nor to Convene them according to these rules, as they pretend in their Acts, and the Acts of their Commission; the following Assembly at *Edinburgh* convened by that pretended authority can be in no better capacity then the pretended Assembly which did so convene it, seeing they could not communicate that to another that which they had not in themselves, and albeit he thinketh that this sueth not with their new Principles, yet insureth well with the Principles of the Protesters, and sound reason; and it maketh nothing against this, that Protesters hold that Presbyteries may by an intrensecall power meet in a free lawfull Generall Assembly without such pre-limitations, and according to the rules set down in uncontravented Assemblies, but it speaketh against them who rejected such an Overture made at the meeting 12. May 1652. and would have no Assembly but such an one as did depend upon the Authority and Acts of the Assembly at *Dundee*.

#### PROTESTATION Reviewed.

Their second reason is, That it is constitute after the same manner, and (for the most part) of the same members that the last Assembly was, to wit, of persons that have carried on a course of defection, and in respect hereof, are incapable of being Commissioners, which again begetteth the Question, and besides that, it is answered in the fore-cited Vindication, includeth this falshood, that they are (for the most part) the same Members constituent, whereas the Rolls compared will clear that not the third man who was present the last year are Members of this, neither did this Moderator precede in that challenged Commission of the Kirk, nor was so much as present as is. But especially this Argument our Remonstrations

tors have borrowed from the Remonstrants of the Netherlands, their Protestation against the Council of Dort; at which meeting, it was largely and learnedly refused, as may be seen in the Judgements of the Orthodox Divines thereupon.

### PROTESTATION Defended.

**H**E is still in the wrong to say the Protesters beg the Question for what is asserted in the Protestation was before the making thereof, clearly proved in former Papers; he doth often cist in the Protesters way that Vindication, but it seems he had not then seen the Review of that Vindication, else he would not think it difficult to be answered; he doth by this time know (I think) that it is answered in all the parts thereof, and very particularly in that concerning the Argument of the Remonstrants of the Netherlands, which is well refused and retorted. In this place he alleadgeth that the Protesters second reason includeth a fallshood: But if it be a fallshood, it is one of his own devising; and yet he would impute it to the Protesters, for he doth foist in two words, at two severall places; in the first place he puts in the the word [and] in the second place he puts in the word [same] then in the third place he leaves out the word [constituent] and so altereth the sense of the words; the words of the Protestation are these, *It is constitute after the same manner for the most part of the Members constituent, as the former pretended Assembly, of persons which were authors and abettors of, and have carried on a course of defection, of which words he maketh this false repetition, that it is constitute after the same manner and for the most part, of the same Members that the last Assembly was, &c.* And yet he would charge the Protesters with a fallshood; how likes this to the Thief that did steal his Neighbours purse, and put into an honest mans pocket, and then thrust up him that wanted the Purse to challenge the honest man for a thief. Thus which the Protestation saith is, That the most part of the Members constituent of the Assembly at Edinburgh, are Authors and Abettors of, and have carried on a course of defection, as the Members constituent of the pretended Assembly at St. Andrews had done contrary to the Word of God, Covenant, solemn Acknowledgment



ment and Engagement, expresse Acts and Declarations of this Kirk, and being under so great a scandal, are by the Acts of the Kirk incapable to be Members of a Generall Assembly. But indeed now this Reviewer giveth occasion to think upon that which he calleth a falshood, and though the Protestation saith nothing of the same persons being Members of the Assembly at *Edinburgh*, that were Members at *St. Andrews*, as he would have the Protestation to speak, yet there is more truth in that, then he is willing to expresse, for the chief leading men for the Publick Resolutions were constituent Members of the Assembly at *Edinburgh*, and of the grand Committee, and of the Committee appointed for Conference with the Protesters. As to that he saith of their Moderators, not being at the Commission at *Perth*, it might have been foreborn, and I take no pleasure to remember how instrumentall he was otherwise.

#### PROTESTATION Reviewed.

**T**He third reason is, because of the pre limitation of Elections, by the Acts made at Dundee injoyning Synods and Presbyteries to proceed to censure all who oppose the Publick Resolutions, or should not acquiesce to the Acts made at Dundee, and so excludeth all not involved in the course of defection, from Elections, in pursuance whereof, there were sundry pre-limitations made since, by several Synods and Presbyteries. For answer, I would enquire with what conscience this Argument is proponed by them, who (for ought I know) are clear against the major, and cannot be ignorant of the vanity or nullity of the minor. Their major must be, no Assembly that is pre limited, can be free. But to passe the judicious considerations thereof in the learned Vindication, sure I am, themselves will never assent to any Assembly in this Kirk, without strange pre-limitations, yea and pre-conclusions too; as they did signifie at the Meeting and Conference in May last. And for the Minor, there were pre-limitations here, I pray you what? Such

Such as may nullifie an Assembly? No such thing. Is a future Assembly pre-limited, because a prior determined the qualification of its Members? Was the Parliament 1649. pre-limited and unfree, because the Committee of Estates excluded therefrom, all that sate and voiced in the former? Or the Assembly of Glasgow, because the Tables appointed and laid down, and who should be elected thereto, and who not? Or all future Assemblies, because that of Glasgow excludeth from them all that shall not take the National Covenant? Whither doth their passion lead them to plead the Episcopal cause? Besides, did not the Letter of the Commission in May last, require of Presbyteries to chuse faithful and honest men? Which, whatever some have said, was no sinful pre-limitation. Adde, although the Act of Dundee requires Presbyteries and Synods to proceed with the Censures of the Church against them, who after conference opposed the Publick Resolutions (not as they say, with a disjunctive, or who shall not acquiesce to the Acts made) yet hath no Presbtery nor Synod that I know, censured any upon that account, or excluded any from voicing in Elections, but rather all Presbyteries did require them thereto. Now, if they might elect, they might also by the same reason be elected; but themselves fore-seeing that, in few Presbyteries obtainable, where ever they were, they refused and dissented, being probably themselves pre-limited by the order and advice of their Ring-leaders. Lastly, it is at best, needlessly added, that there were several limitations since, in several Synods, I beleeve there will be nothing else found but the same, viz. The assertion of the Constitution of the Assembly of Dundee, which we will not grant, and they cannot prove to be such a pre-limitation, as is destructive of the freedom of an Assembly.

PROTESTATION *Defended.*

Certainly this Reviewer either hath not read and considered the Reasons of the Protesters upon this subject, or otherwise it would seem he is *valde perfricta fronte*, that can enquire with what conscience this Argument is propounded. He saith, their *major* must be, no Assembly that is prelimited, is free, and that they cannot be ignorant of the vanity of the *minor* : But their Argument is, That no Assembly prelimited in the free Election of Commissioners, by secluding and making incapable those who may, and should be chosen according to the Acts of this Kirk ; and by including solely those, who according to the Acts of this Kirk, are incapable, is a free Assembly : But such was this late pretended Assembly, *Ergo*. The Protesters never asserted, nor assented unto such pre-limitations, and pre-conclusions as this Reviewer speaks of ; and he doth well to suppose that there were such pre-limitations in their late Assemblies ; but he is much to blame that he studyeth to confound pre-limitations of the freedom of an Assembly, with due qualifications of its Members, agreeable to the Word of God, to our Covenants, and the Constitutions of this Kirk, as if these were one & the same. If he think that in the Rules of Constitution of the Assembly at *Glasgow*, or any other Assembly since that time preceding their late Assen. at *S. Andrews*, there was any other thing required but these due qualifications of Members before mentioned, let him speak out, that his mind may be known ; and for their Act and Letter, and Publick Papers 1651. and their late Acts at *Dundee*, excluding all that differ from the Publick Resolutions : he will never be able to prove those to be such : he is begging the Question indeed, when he supposeth that Assembly at *Dundee* to be a free lawful Assembly, determining the qualification of Members. He tells us, that in the Assembly at *Glasgow*, all were excluded that did not take the National Covenant : But that was no prelimitation of due freedom, it was a requisit qualification. Indeed, if the Assembly at *Glasgow* had secluded all that did take the Covenant, from being Members of any Assembly, and had appointed, that Assemblies should consist only of such as had opposed the Covenant, and concurred in the course of Defection, as the late Assembly at *Dundee* hath done in  
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the case of the Publick Resolutions ; it had been a prelimitation of the freedom of Assemblies, and it had been great untruthfulacts not to have given testimony against the same. It would seem by the Argument, which this Reviewer hath framed, That if the Assembly at *Dundee* had brought in the Prelats and Service-Book-men, to be Members of the Assembly at *Edinburgh*, he would have sustained it to be a free lawful General Assembly, for saith he (very loosely, without restriction according to the Word of God, Covenants and Constitutions of this Kirk ) a prior Assembly determined the qualification of its Members. Surely these who have brought in the Malignant party *uisdem vis modis & methodis*, may bring in the Prelatical party, and thereafter the Popish party. The Covenant is as expressly against Malignants, as against Prelats and Papists. Both Prelats and Papists can dissemble as well as the Malignants, and a pretended necessity may be soon found out for seeking their help, and assistance for relief of a distressed Land.

The Letter of the Commission in *May* last, did require the chusing Commissioners to the Assembly, to be done according to the known and ordinary Rules of Election. Now if the Authority of that Commission of the Assembly at *Dundee* be acknowledged, how can any man conceive that they understand by known and ordinary Rules any other then these which are established by the Assembly at *Dundee*, from whom they had their Commission, it being a known and ordinary Rule, not to choose such to be Commissioners as were censured by the last Assembly, or whom they appointed Presbyteries to process and censure; and so all that differ from the Publick Resolutions must be excluded from Election, which, whatsoever this Reviewer hath said, is a sinful pre-limitation. He granteth, that the Assembly at *Dundee* did by their Act, require Presbyteries and Synods to proceed with the Censures of the Kirk against them, who after conference oppose the Publick Resolutions ; but all the Copies which I have seen or heard of, have also this disjunctive, Or who shall not acquiesce to their Acts and Constitutions ; but the difference is not great, seeing they well know that such who for conscience sake cannot acquiesce, will, as they are called thereunto by providence, testify their dislike of the Publick Resolutions, which in the judgment of men zealous for the Publick Resolutions, will be accompted opposition. But, saith he, The Presbyteries have

not put these Acts into execution. I desire to know how he will reconcile their principles and practises herein; for if the Assembly at *Dundee* did right in making these Acts, the Presbyteries do wrong in not executing them; the forbearance of the Presbyteries is either from policy, as was done in their Assembly at *St. Andrews*, which is well discovered by the Review of the Vindication. Or it is from conscience, because the Presbyteries do think that the dissenters from the Publick Resolutions deserve not censure, but are capable of being elected Commissioners, and if so, then the same conscience cannot but tell them that the Acts at *Dundee* are wrong and unjust. As for the prelimitations in Synods, he saith, they were nothing else but an assertion of the Constitution of the Assembly at *Dundee*. But that Constitution was made up of persons scandalous for defection from the Covenant and Cause, which was never denied in this Kirk to be destructive of the freedom of an Assembly, except at this time, and in former corrupt Assemblies. If it were needful, Acts, Orders, and practises of Twenty General Assemblies can be produced against the admission of such to sit as Members; but that controversy is so well handled in the Review of the Vindication, as it standeth not in need of my Additions.

#### PROTESTATION Reviewed.

**T**He fourth Reason is made up of many Particulars, which we thus particularly reply to. 1. There are many Presbyteries who refuse to send Commissioners to this Meeting, as an Assembly. But there be many unquestioned Assemblies have been made up of fewer Members, as upon the inspection of the Rols will appear. Neither is a Meeting that hath no determinate Quorum, evacuate or made null, because a Minor part legally warned, cannot, or will not come thereto; as the perpetual practise of Presbyteries, Synods, former Assemblies, and Parliaments sheweth. Nor is the number of the Absents here so great; and although it were greater, it is not their simple absence, but unjust exclusion, that rendreth the meeting ob-

noxious

noxious to exception. 2. They say, there are many Presbyteries that do concur in protesting against this Assembly. To which I reply, We have heard of dissents, but not of any Protestation, except this, which they now have given, which if they mean here, as the Protestation is not Presbyterial, so the Reason will be found to have no more of Reason in it, then if they had argued thus; We find our selves necessitated to protest against this Assembly, because we have protested against it. Or thus; This our Protestation is just and lawful, because we have protested.

#### PROTESTATION Defended.

TO the fourth Reason of the Protestation he answereth cunningly. There are diverse things put together, which he takes asunder, and answereth severally, making use of a common fallacy, *alevisis ad conjuncta*. But suppose one of these alone to be (as he alleageth) a defect in an Assembly, which in some cases might be dispensed with, yet that will not hold, if all the five Considerations be taken together, as is done by the General Assembly at *Glasgow* in the like case. As for his Answer to the first of these Considerations, he granteth, That unjust exclusion rendreth the Meeting obnoxious to exception. And I truit, it is sufficiently proved in the Review of the Vindication and Papers printed therewith, That there is an unjust exclusion, by the Acts made at *Dundee*, which stand still unrepealed, and in effect acknowledged by the Assembly at *Edinburgh*: And if the Act at *Dundee* anent the Constitution of Assemblies be acknowledged to be just and right, then subsequent Assemblies, otherwise constituted, are by the Acts of this Kirk null and void; so that until that Rule of Constitution, made at *Dundee*, be disclaimed, Whether opposers of Publick Resolutions be admitted or not) subsequent Assemblies are still questionable; therefore there was a necessity to protest, or else to give way to a corrupt Constitution of Assemblies hereafter, which is as poison in the fountain, a defect in the cause, an error in the principles and foundation, and hath an universal influence in the streams, effect and superstructure.



structure. He affirmeth, that these Presbyteries which refused to send Commissioners, were legally warned : But there can be no legal warning, where there was no Authority to give a warning. He granteth there were dissents ; but denieth (in his Answer to the second Consideration) that there were any Protestations made in Presbyteries, but Protestations were only needful in those Presbyteries which refused to put Dissents upon record. To the rest of what he saith there, I say no more, but if he had known that several Presbyteries did send two or three of their number, warranted by Commission, to protest ; he might have spared his censure of a supposed tautology.

#### PROTESTATION Reviewed.

**W**Here Presbyteries have sent Commissioners, the Elections are generally controverted, there being Protestations made, at least dissents entered, against most of their Elections, upon good grounds. But here (I think) a special providence hath ruled, that there was no Protestation. In most Presbyteries there were no dissents at all ; and all that we heard of, were simply against the Elections, not against the persons elected besides that ; they were not prosecute, nor brought in, to be discussed. And a dissent inferreth not by the Act of the Assembly a suspending, let be a repealing of the Act of the Fudicatory ; Only it maketh the Judges liable to the censure of their Superiors, for what they have done ; which if it be amiss, the dissenter is not involved in their guilt or censure ; but if not, he is censurable himself. And if it were other-ways, we should absurdly be forced to confess, that every Member of a Fudicatory hath a negative voice, which will open a door, whereby every faction may elude all General Assemblies for ever.

PROTESTATION *Defended.*

**F**Or his answer to the third, it is replied, That there were dissents, or otherwise, no Commissioners sent in, more then most part of Presbyteries, as was found upon tryall by the Protesters in the very time of that Assembly; Where there was no Election, there needed not a dissent, and where dissents were entered, there needed not Protestation; and if the dissents were against the election, it doth necessarily infer a not election of the persons; and for the prosecution of these dissents, they were timeously objected against in their Assembly at the reading of the Commissions, and an offer made to prosecute them, if according to the constant practice of this Kirk the Commissions should be laid aside untill they were tried; but this was rejected, contrary to the known rules acknowledged, even by the Assembly, and the so much cryed up Vindication, to wit, that a dissent entered in the Presbyterie, and timeously proponed in the Assembly, and offered to be prosecuted, should be a ground to lay aside contraverted Commissions, untill the relevancie of the reasons of dissent be examined, and proof made of what is alleaged, *sed ubi semel deerratum est in praeceptis ruitur.*

PROTESTATION *Reviewed.*

**T**Here be wanting Commissioners from Burghs, in respect of their present incapacity. We need say no more to this, since themselves answer it, that they are in an incapacity: and suppose they were not, yet have they not a negative voice. Besides that, all were not absent.

PROTESTATION *Defended.*

**T**O his fourth Answer I say, that he knoweth that the Assembly at Glasgow made use of this jointly with other reasons for nullifying the Pretended Assemblies, and their being in an incapacity ought to have carryed its own weight for suspending the constituting themselves into an Assembly, especially when so many other things did concur. He saith further, that all were not absent, but all of

of them that were present for ought I can learn, if they were *duo-*  
*lis*, yet they were not *pluralis numeri*.

# PROTESTATION Reviewed.

**T**He generality of the Godly in the Land go along with  
 us (say they) and approve our protesting against  
 this meeting. A strange assertion, and of dangerous con-  
 sequence. This Protestation was given in at the very begin-  
 ning of the Assembly, ere ever it was constitute, and that  
 upon the delay of taking in their first Paper; and is it pro-  
 bable they could gather all their consents in so short a time?  
 Or, had they them before? But that smelleth of a pre-meditate  
 Faction: Or go their resolutions along with whatsoever these  
 Protesters do? But that is not suitable to them that are tru-  
 ly godly, to have their faith pinned to the sleeves of any, how  
 high soever they hold their head. Or, is it that they will al-  
 low none to be of the number of the godly, who go not along  
 with them in every thing? This (I suspect) be the marrow  
 of the matter: But who gave them that power to put out and  
 put in into the Roll of the Godly, whom they please? And as  
 we doubt of their authority so to do, even so also of their power:  
 can they reach the heart, or are they quicker sighted then Elias,  
 who saw not one of the seven thousand God had reserved to  
 himself? Will they condemn all for ungodly, that are not of  
 their way? How suiteth that with their professions elsewhere?  
 I am sure, we have here reason to dissent and appeal from such  
 an uncharitable censure of them that have no power, to the  
 righteous Tribunall of the Lord, to whom we stand. There  
 may be somewhat more yet of dangerous consequence in it, in  
 that they seem to subject the Publick Ministeriall authority  
 to the People; and amongst them, to such onely as are visible  
 Saints; where, if there be any mystery, they will do well to un-  
 fold it.

And

*And now for the solemn words of the Protestation, the grounds and reasons thereof being houghed, we need say no more; but if those Principles from which they say they do it, viz. the Zeal they owe to the glory of God, &c. were rightly weighed, they would inferre, and have produced the quite contrary conclusion: Which the Lord out of his tender mercy to this poor bleeding Church and Countrey, imprint upon their spirits for Christs cause. AMEN.*

PROTESTATION *Defended.*

**A**S for the fifth, that term of the generality of the godly hath been cleared before, and the Argument was used by this Kirk diverse times. Likewise if he please he may first quarrell with the Generall Assembly 1648. for the *expression and argument both*. The ground upon which the Protesters have made use of that reason is this; At the meeting in *St. Andrews* the Protesters delivered in a Representation, notwithstanding whereof, the Meeting did proceed to constitute themselves into an Assembly, and thereafter did approve of the Publick Resolutions, and enact severe censures against all Ministers and Professors in the Land that were of a different judgment, which gave an occasion to many Ministers and Professors throughout the Land, timeously to take into their consideration, what should be their duty at the next Meeting which was appointed by that corrupt Assembly at *Dundee*, and they doing well, approve of the method followed by the Protesters at *St. Andrews*, thought fit that first a Representation should be given in, desiring these which were to meet, not to proceed to constitute themselves into an Assembly, but to enter into a conference with their Brethren who differed from them in judgment, and eight Propositions were agreed unto after mutuall correspondence, and a report made from the severall quarters of the Countrey, which were to be offered as the subject of the Conference; and in case Conference should be denied, and that the Meeting should proceed to constitute themselves into a Generall Assembly, as they had done formerly, it was thought a necessary duty, that these who were to repair to the

of them that were present for ought I can learn, if they were *dualis*, yet they were not *pluralis numeri*.

### PROTESTATION Reviewed.

**T**He generality of the Godly in the Land go along with us (say they) and approve our protesting against this meeting. A strange assertion, and of dangerous consequence. This Protestation was given in at the very beginning of the Assembly, ere ever it was constitute, and that upon the delay of taking in their first Paper: and is it probable they could gather all their consents in so short a time? Or, had they them before? But that smelleth of a pre-meditate Faction: Or go their resolutions along with whatsoever these Protesters do? But that is not suitable to them that are truly godly, to have their faith pinned to the sleeves of any, how high soever they hold their head. Or, is it that they will allow none to be of the number of the godly, who go not along with them in every thing? This (I suspect) be the marrow of the matter: But who gave them that power to put out and put in into the Roll of the Godly, whom they please? And as we doubt of their authority so to do, even so also of their power: can they reach the heart, or are they quicker sighted then Elias, who saw not one of the seven thousand God had reserved to himself? Will they condemn all for ungodly, that are not of their way? How suiteth that with their professions elsewhere? I am sure, we have here reason to dissent and appeal from such an uncharitable censure of them; that have no power, to the righteous Tribunal of the Lord, to whom we stand. There may be somewhat more yet of dangerous consequence in it, in that they seem to subject the Publick Ministeriall authority to the People; and amongst them, to such onely as are visible Saints, where, if there be any mystery, they will do well to unfold it. And

*And now for the solemn words of the Protestation, the grounds and reasons thereof being houghed, we need say no more; but if those Principles from which they say they do it, viz. the Zeal they owe to the glory of God, &c. were rightly weighed, they would inferre, and have produced the quite contrary conclusion: Which the Lord out of his tender mercy to this poor bleeding Church and Countrey, imprint upon their spirits for Christs cause. AMEN.*

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place of Meeting should protest against the authority, constitution and acts of that Assembly. Now, in all this, what is there of a premeditated faction? There was indeed a considerable number in all quarters of the Land of such as in former times have been found to be faithful, who perceiving that the edge of Church-Discipline was turned against many of the godly in the Land, and for protecting and countenancing the wicked and prophane, that some godly Ministers were already suffering, and that both Ministers & Professors were like to suffer more by the prevailing faction of a corrupt Party in the Ministry, they held it their duty to use all lawfull means in their power, to remedy past evils, & to prevent them for the future, by offering their humble advice to that Meeting; and in case of their proceeding in the course of the begun defection, to protest against these corruptions and this was all. They are very far from rigid censuring of others, as this writer would have the world to believe, there are many whose judgments are for the Publick Resolutions, who will be loath to accompt all Professors in the Land to be godly; and in their Sermons and otherwise, they do make a difference amongst Professors, as well as the Protesters do, and they also do very well know, that the Protesters do not subject the Ministeriall authority to any other, but unto their Master from whom they have their Commission, and to the Officers thereunto appointed in the Church according to *Mat. 18.* and *1. Cor. 14.* yet they do desire to render all due respect to the Saints, so far as they are known unto them, and do acknowledge, that they have so far an interest in these matters, as that they cannot be denyed a judgment of discretion; and when they see corruption in government, to supplicat for a redress. And what for a Minister of the Gospel is he, that will not lay more weight upon the judgment of such as live according to godlinesse, then upon the judgment of such as lead a life directly fighting against it? In all which they differ nothing from the received Doctrine and Discipline of this Kirk. He will not finde in all the Protesters Papers any thing which may give him ground to think, that these Meetings of Ministers and Professors are looked upon by them as Judicatories; and therefore what needed all these suggestions of Mysteries, and I know not what? But it is a time of reproaches, and we must resolve in the Lords strength to endure the scourge of the tongue,

tongue, so long as there be so many enemies in the Land to his truth and Cause. And now to conclude, I trust that the grounds and reasons of the Protestation stand unshaken. And sure, for all that the Writer of this Paper hath objected against them, and likewise that it was very agreeable to the Principles from which they did it, to protest against the Authority, Constitution, Acts and Proceedings of the pretended Assembly which lately did meet at *Edinburgh*.

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# READER,

**I**f is left to thine own discretion to correct faules in the Punctuation, and other escapes, which the sence may discover. Besides these, take notice, That Pag 6. line 25 these words were left out, *many able and godly Ministers and Elders from being Church-Officers so likewise* Pag 31. line 5. for, *yea they were admitted, read, and afterward they were admitted.* P. 24. l. 8. f. and that solidity and judgement and nerves are in it: as to the vindicating, &c. r. and what solidity and judgement and nerves are in it, as to the vindicating, &c. P. 47. l. 14. f. and *Acts and censures*, r. and *made Act and censures*. P. 60. l. 6. after the Parenthesis, dele &c. P. 65 l. 2. f. *ground and expression*, r. *ground and manner of expression*. P. 78. & 79. the figures are misplaced, 1. for 2. and 2. for 3. &c. and the punctuation is bad, as in some other places P. 79. l. 21. f. *could only r common'y*. P. 103. l. 12. after *Assembly*, r. *at S. Andrews*. These faults have been observed upon a superficial reading, but very like there may be more, which the Courteous Reader will pardon.

# F I N I S.





**R** Eader, for thy better information anent this debate, and likewise anent the Union which hath been endeavoured by the Protesters since the late P. Assembly, it is thought fit to subjoyn the following Papers that past betwixt the P. Commission, and some of those who protested against the last P. Assemblies.

TO THE  
RIGHT REVEREND  
THE  
MINISTERS and ELDERS  
*Met at Edinburgh the 24.  
of Novemb. 1652.*



Hereas we have not onely been patients and defenders in the differences that have lately arisen in this Church; but willing and ready to embrace all opportunities for removing them: And for that end upon an Overture made to us the last Winter, have since that time forborn to act authoritatively, and in the capacity of Commissioners from the Generall Assembly 1650. ( which delegation we conceive to be still in force, untill the next lawfull free Generall Assembly ) And notwithstanding grounds were given to us when that Overture was made to expect the like from you; Yet ye did assume to your selves that authority, and acted accordingly; which hath very much heightned our differences. And forasmuch as at the late Meeting of our Brethren in *Edinburgh* upon the day of *July* last; We did earnestly desire that they would forbear to constitute themselves into a Generall Assembly, (which had they been pleased to grant, might through the

Lords blessing have proved an effectually means of peace ) So now we being met together, and understanding that you are to meet upon the  
of this instant: And we being still desirous of peace and of an union with our Brethren in the Lord, and to entertain with all due respect, the endeavours of some godly and reverend Brethren for this effect. We do earnestly beseech you by the love you bear to the peace of this Church, and by your desires to heal the breaches thereof, that you will presently declare, that you will forbear all acting as Commissioners of a Generall Assembly, so long as endeavors and conferences for Union shall continue (as upon your condescendence we hereby do declare the like concerning the Commission of the Gen. Assembly 1650) And that you will presently interpose with others of your judgment in the respective Synods and Presbyteries, not only that supposed censures may be looked on and accompted as no censures, But that they do not proceed to put in execution any of the Acts of the late Meetings at *Dundee* and *Edinburgh*, against Ministers, Elders, Professors, and Expectants; or to do any other thing not already determined by uncontraverited Assemblies; which we are confident shall be the practice of Synods and Presbyteries that are of our judgment. If the Lord shall convince and incline your hearts to this motion, whereby we may be in a fit capacity to confer together for removing our differences; In that case our opinion is, that by mutual consent, some time may be appointed for our seeking the Lords face, for the further knowledge of his controversie with us, and for our direction in the way of Union in him, that we may in love and soberness of spirit speak of these things which may conduce for the healing of our breach; then which, nothing is more sincerely and seriously desired by us. But if this motion may not be hearkened to, and there be a proceeding in these things which are so grievous to us, and burdensome to the consciences of many of the Lords People and Ministers, we cannot forbear to warn you, that we shall be constrained to vindicate our selves and others from such usurpation and persecution by the use of all lawful and possible means for our own defence, and for preservation of the truth & liberties of this Church.

*Subscribed in the name of the Ministers, Elders and Professors met at Edinburgh the 11. of Novem. 1652. By*

Sic subscribitur SAMUEL RUTHERFURD.  
Edin



*Edinburgh 26. November, 1652. post  
meridiem, Session 5.*

**T**He Commission of the Generall Assembly having received upon the 14 of this instant a Paper presented to them by my Lord *Wariston*, Mr. *Robert Trail*, Mr. *John Sinclair* and *George Dundasse of Duddingston*, and subscribed by Mr. *Samuel Rutherford*, in the name of some Ministers, Elders, and Professors met at *Edinburgh* upon the 11. of *November*, and having taken the same into serious consideration, do return this Answer thereunto.

Although we being unwilling to enter upon any debate or inquiry who have been the Agents in raising, continuing, and heightning the late differences in this Church (being more desirous to have these differences and distractions that have followed thereupon removed, and the memory thereof buried) yet we may say that our Brethrens vigorous activity therein all along hath been conspicuous enough to all who have been looking upon the matter. And as we will not question the willingness and readinesse of our Brethren to embrace opportunities for removing these differences, nor whether for that end they did forbear the last year to Act Authoritatively, and in the capacity of Commissioners from the Generall Assembly 1650. ( which power they had assumed to themselves, it being expired and extinct by the Meeting of the Assembly 1651. by vertue of the indiction of the Assembly 1650 ) and that upon such an Overture made to them as they mention (which yet seemeth to us not to be well consistent with their Answer given by them upon the                    day of                    1651 to the Paper presented to them from the Provincial Assembly of *Loshian*) so we remember well that the Commissioners of the Assembly 1651 though having no lawfull call and Authority, did notwithstanding



from that time mentioned by our Brethren for preventing the heightning of differences, not onely forbear acting any thing in that capacity, but even abstain from so much as meeting to adjourn, untill the time of the Generall Assembly near approaching, they behoyed to meet in that capacity, for determining the place of that Assembly ensuing, which had been left in the indiction under the uncertainty of an alternative, by reason of the times, which was the onely thing they acted, and could not in reason be accounted a cause of heightning the differences. Further as the Commissioners of Presbyteries met in *Edinburgh* in *July* last could not hearken to our Brethren, desiring them not to Constitute themselves into a Generall Assembly without unfaithfulness in the trust committed to them (they being Commissionated to that very purpose) and without apparent and inevitable danger of present loosing the liberty of the Publick Judicatories and Government of this Church, especially considering the posture of Civil affairs in the time: So we see not how the forbearing thereof could have been a means of a right peace; we still conceive, as hath been constantly held in this Church, that a lawfull Generall Assembly, such as that was, is the most Sovereign means under God to heal any ruptures and distractions that are in the Church: likewise we find that it was the endeavour of the said Assembly to the outmost of their power to compose the present differences, and unite the distracted Members of this Church, and accordingly did condescend upon such Overtures as they possibly could perceive to be most conducible to this end.

Albeit we cannot but signifie our just grief at the unjust reflexions and aspersions cast upon us and other preceding Publick Judicatories of the Church, partly indirectly, partly directly in the narrative of this Paper, and conceive it had been more suitable to the Profession of so earnest desires of Peace and Union expressed therein to have foreborn them, yet not doubting of the reality of the desires themselves, we do heartily entertain those with all due respects And being for our part most desirous of Union with our Brethren in the Lord, we are willing to condescend so far as possibly we can in the trust committed to us, and with a good conscience by any means to attain that end: And therefore do declare, that we shal nor at this Meeting, nor hereafter before the third Wednesday of *February* Act  
any

any at all in prosecution of any Censure against our Brethren which are already pronounced, or which may be incurred by them by virtue of any acts of the two last Gen. Assemblies at *Dundee* and *Edinburgh*, relating to the late differences: And although as to the execution of the Act of the late Assembly for regulating the Admission of Elders to Vote in Presbyteries and Synods; and of Expectants to their trials for the Ministry; we must leave these Judicatories to that discretion and prudence that the exigence of their severall conditions requires, yet we shall interpose with the respective Presbyteries and Synods, that they may, during the space abovementioned, sit, and not proceed further in any of the foresaid censures: And that we are content and willing that betwixt and the day foresaid there be a Meeting at a time to be appointed, before our parting hence, between some of us and some of our dissenting Brethren in such a number and such a way as shall be most convenient, considering the case of the time, for holding forth to them so far as we can, and the Lord shall assist us, light in the matter of their differences from the Publick Judicatories, and for searching into further knowledge of the Lords controversie with us, and speaking in love and lovetiness of Spirit in such other things as may conduce for healing our breach. And it shall be matter of our earnest desires and Prayers to the God of Peace (as we doubt not but it will also be in our Brethren, if they embrace this way) that he may be graciously pleased so to bless these endeavours, that the issue may be a clearing of His ways to us all, an healing of our wounds, and an uniting of us in himself, to serve him with one consent, in doing or suffering joyntly for His Cause and Honour, whatsoever shall be His holy will.

As for that Certification in the close of the Paper, as we conceive that it might been well spared, so we shall say no more to it but this, That we are confident that this Commission and the other late Publick Judicatories, having a calling and being constitute according to the order of God, and constitutions of this Kirk, are very far from usurpation; and that both the by past carriage of the respective Judicatories Publick and Private doth clear them, and our carriage shall clear us before God and the World from that grievous aspersion of persecution, the uncharitableness and injustice whereof we heartily pardon, and pray the Lord to pardon in our Brethren.

Edinburgh 27. November 1652. Antemeridien, Sess. 6.

**T**He Commission of the Gen Assembly hath appointed, Masters *Ro Blair, James Wood, David Forrest, Andrew Henniman, James Sharp,* and the Moderator *Mr. David Dickson,* incase the conveniency of his health and affairs can permit, to Meet at *St. Andrews* the first Wednesday of *January next*; and there to attend such of our dissenting Brethren as shall come to them, and to confer with them upon the particulars expressed in the Answer to their Paper.

JO. MACKHIE.

Edinburgh 27. November 1653.

**W**Hereas our earnest Desire and Overture for sifting the present Differences to make way for an Union, hath been met on your part with no small heightning of the Differences, by your Actings in matters contraverted, betwixt the time of our giving in an Overture and your giving answer to it, and by your refusing all and every one of our just desires and asserting the authority and Acts of the late pretended Assemblies and Commissions thereof, and by your declaring the impossibility of any further condescendance on your part for Union, then hath been already held forth in the Acts and Overtures of the late pretended Assembly at *Edinburgh*: And you having also dissolved your Meeting before the return of an Answer to us, or hearing what we had to say to you in reference to your Answer and to the authoritative appointment subjoynd thereunto; We are necessitated to Declare unto you that we are not instructed to call any Meeting for Conference with you in this case of so unsatisfactory an Answer: And that we are free of any concessions conditionally offered on our part.

*Subscribed in the Name of those who  
were appointed by the Meeting of  
Ministers, Elders, and Professors  
to present the Overtures, and receive the Answer.*

*Sic sub. Mr. ROBERT TRAIL.*

OBSERVATION



OBSERVATIONS *upon the Answer of the Commission of the pretended Assembly, to the Overture of the Brethren who dissent from the Publick Resolutions: As likewise upon their Letter to PRESBYTERIES.*

**I**T is to be observed, that the scope of the Overture made by the Protesters, is, That all claims to power and authority from the controverted Assemblies at *Dundee* and *Edinburgh* upon the one hand, and all controverted power, as derived from the General Assembly 1650. on the other hand, being laid aside during endeavours for union; as likewise all Censures, or Acts enjoying Censures for the late differences since the said Assembly 1650. at which time this Kirk was of one judgment, and all Papers against these controverted Assemblies not yet published, being also for that time suppressed, There should be a friendly Conference agreed on by mutual consent, for searching into the Lords Controvertie against the Land, and for removing our differences. The Brethren who stand for the Publick Resolutions are so far from ways of peace, as they refuse all conference, except they Treat and confer as the lawful Representative of this Kirk, and be cloathed with their Commission and Authority; and therefore their Answer to the Overture is returned in the Name, and by the Authority of a Commission of the Kirk, and a Committee is by Act of the pretended Commission, appointed for that purpose, *viz.* Their Moderator and some Brethren of the Presbytery of *St. Andrews*.

2. In that Act the said Committee is limited in their conference to the particulars express in the Answer to the Overture.

3. The Answer to the Overture, not only refuseth all things demanded by the Protesters, as previous and preparatory to a Conference, but also maketh the end of the Conference (which was modestly and fairly express for both in our Overture) to be, to hold forth light to the Protesters in the matter of difference from the Publick Judicatories, and (as the Letter to Presbyteries expressly beareth) that the dissenters from the Publick Resolutions may be brought up to unite with the Publick Endeavors of this Kirk, and so the state of the difference between them and us, is now again (upon what considerations, or expectations I shall not descant) made as wide as it was before, when all the Malignant party was in Arms to protect them therein.

4. The Answer asserts and justifies, not only the Calling and Constitution, but all the Acts and Proceedings of the late pretended Assembly and their Commissions, and condemneth all Testimonies against the Publick Resolutions, and the said pretended Judicatories.

The said Answer declareth, That no Agreement is to be expected upon other terms then the late pretended Assembly at *Edinburgh* did propose; for the Answer doth affirm that they have found that the said Assembly hath endeavored to the utmost of their power to compose the present differences, and did condescend upon such Overtures as possibly they could perceive most conduceable to that end.

Now, these Overtures, by them mentioned, do require an express passing from all our former Testimonies, and that in time coming we shall never give any Testimony against the Publick Resolutions, and other late corruptions and novations brought into the Church, for it is required to be set under our hands, *That we shall not hold up debates by preaching, writing, or otherwise, for any thing which doth concern the late differences that have arisen in this Church:* So that we may not give Testimony or declare our Judgements in any case, but must either be altogether silent in these things, or else conform our language to the judgment of the pretended Assembly, and if any Minister or Elder cannot in conscience comply with these Overtures, though they be men eminent for gifts and graces, and have

have been very useful and profitable servants in the Lords Vinyard, and differ in nothing in judgment with their Brethren in the Confession of Faith, Directory for Worship and Government, yet they must be cast forth as unsavory salt, because they cannot agree to a Novation which never was heard of before in this Church; and which themselves in their Vindication grant to be *indeterminatus juris*. The same severity is enacted against expectants to the Ministry, and they must be debarred for this sole cause, though they were never so well qualified. If this be not Usurpation and Tyranny, the Prelats are very excusable for their carriage.

6. Observe how their Answer to us, and Letter to the Presbyteries is stuffed with carnal policy; and very far from that simplicity and candor which becometh Ministers of the Gospel. They say, they are desirous to have the memory of our differences and distractions buried, yet with the same breath they give out sentence, That we have not only been agents, but active agents, and vigorously active; and affirm this to be conspicuous, not only to some, but to all who have been looking on the matter. But were it so, what need was there to tell it? If they would have these things buried, why did they assemble so frequently this Summer, to dig them out of their grave? Were it not greater ingenuity to tell the truth (as some of their number do) that these Publick Resolutions must stand as the Authority and Warrant for the Body of the People, to rise all in Arms (without making distinction of Friends and Enemies to the Lord his Work and People) and associate among themselves; and with Forreigners, when they shall land with the King. They say, they will not question, whether we did from a desire of removing differences, forbear to act in the capacity of Commissioners from the General Assembly 1650. yet in the very next words they do expressly question it, and say, It seemeth not to consist well with our Answer to the Synod of *Lothian*. This is but a seeming inconsistency grounded on a real mistake; for the Overture mentioned by us, is not the same with that proposed by the Synod of *Lothian*, neither for the Matter, Persons, Propounders, or the time of making thereof. It was a more equal Overture then that from the Brethren of *Lothian*, for it did not condemn the Authority of the Commission 1650. more then that of 1651. as that from *Lothian* did; and it was propounded at a Conference with some of the Bre-



thren of the Presbyterie of St. *Andrews*, and that diuerse moneths after the Overture made by the Brethren in *Lothian*: If our Brethren had been well aduised they had spared this reflection. They say, they abstained from meeting so much as to adjourn the Commission, and that to prevent the heightning of differences til the time of the Assembly did approach that they behoued to meet. I will not say, as our Brethren do, That I will not question if it was for that end they did abstain, and then follow it with a contradiction; I do plainly and ingenuously profess, That I think it was another reason which made them abstain: It was a clear case to all who conversed with them at that time, That fear of interruption by the *English*, and drawing prejudices on their persons, made them abstain, until the Malignant party (their penitents and correspondents) began to have power and fauour, and procured some under-hand assurances for their security. And it may be well remembered, that their Meeting at that time in *May*, before their Assembly, was coloured with specious pretences, of using endeavors for union with the Dissenters from the Publick Resolutions; yet here they plainly tell us, that the expresse end was, To determine the place of the ensuing Assembly; to which I do readily give credit: for they slighted the sending advertisement to us, and would not delay one fourtnight at the earnest desire of some few of our number, that were present at that Meeting. They say, they could not delay to constitute themselves into a General Assembly without unfaithfulness, notwithstanding they know that it was agreeable unto the practice of diuerse Gen. Assemblies, to adjourn without constitution, and no prejudice at all to their Liberties, as was represented to them at the same time. They say, that it hath been constantly holden in this Church, That a lawful General Assembly (such as this was) is the most soveraign mean to heal ruptures & distractions in the Church. If they take out these words [*such as this was*] which they have foisted in to destroy the Text, their own consciences will bear witness to us, that we are of the same judgment: But to say, That a pretended Assembly, made up of such as have brought in Novations and carried on a course of Defection, & continuing therein without Repentance, is a Sovereign mean to heal ruptures and distractions, is so far contrary to all reason and experience, as it hath proved to be a main cause of the evils and troubles of this Church, as is declared

red by the General Assembly 1639. in their Act of the 17 of  
 They do without cause, resent, That the Narrative of our Over-  
 ture doth cast upon them reflections and aspersions, and yet all a-  
 long their Answer they make it their study under the covert of *Al-*  
*betts, Althoughs, and Parentheses* to abuse us with Calumnies.  
 They declare, That they shall not at this Meeting, nor hereafter,  
 until the third Wednesday of *February*. Act in prosecution of  
 Censures already pronounced, or which may be incurred by their  
 Brethren; and that they will interpose with Synods and Presbyte-  
 rie for the like. But what Sophistry is there here to delude the  
 world, or rather to mock their Brethren? For first, They act what  
 they had a mind to act, in reference to matters in difference; and  
 then after their Meeting is dissolved, and no sooner, they declare to  
 us they will act no more at that Meeting, nor hereafter, till the third  
 Wednesday of *Febr.* and that is the time of their next Quarterly-  
 Meeting. 2ly, This seeming forbearance to act during that time, is  
 not general, but limited to the matter of censures. 3ly, That's clog'd  
 with another limitation, for say they, We must leave Synods & Pres-  
 byteries to that prudence and discretion which the exigence of their  
 condition shall require, for putting in execution the Acts for debar-  
 ring Elders from Voting in these Judicatories, and Expectants from  
 the Ministry, which themselves the last year did accompt to be no  
 small Censure, in the debarring Malignants from trust; but how  
 much more in this case, which hath great influence to corrupt  
 the Ministrie and Judicatories. 4ly, Their expressions which  
 they chose in their Letter to the Presbyteries and Synods, are such,  
 as do rather incite to Censures, then prohibit; for they insinuate a  
 dislike of their former moderation in Censures, which (they say) is  
 well known to them, and to all men. 5ly, They well knew by  
 the Conference which we had with them in *July* last, that it was  
 not their Censures we feared, or much valued, but that we desired  
 that both of us might be in the accompt of either in a fit capacity to  
 confer together, and not they looking on us as Delinquents at the  
 bar, and themselves as our Judges; otherwise we see not to what  
 good purpose we should meet. 6ly, The time, place, way, and num-  
 ber of Persons (which indeed is least of all) ought to have been a-  
 greed upon by mutual consent; yet even in these smaller matters  
 they must keep a state and authoritatively enjoin all, without the

giving us the least intimation of their Resolutions, till they were risen and the Meeting was adjourned. In the close of their Paper they would fain vindicate themselves from persecution, but they would consider, that justified defection endeth ever in persecution of the witnesses against it. Some, who at the beginning of this Defection, abhorred the very supposition of troubling any godly Brethren who differed from them in judgment, within some moneths were perceived to make no great scruple to help forward the persecution: others, who called it a persecution the last year, to debar Malignants from Civil and Military Trust, will have it this year no persecution to debar godly and faithful Elders, from Trust in the Kirk; and able, gracious and well qualified Expectants, from the Ministry: Conjunction with Gods Enemies, is alwaies attended with persecution of his Friends; and experience may teach us, that large Charity to Malignants wil dry up much former love to Gods People. Mans heart is deceitful above all things. I say no more, but I desire heartily to pray the Lord, to forgive them the deed and thing, who storm so grievously to be rold of the name of persecution.

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F I N I S.

# OBSERVATIONS

Upon the Chief Acts of the two  
late P. Assemblies at  
St. *ANDREWS* and *DUNDEE*,  
the Year of God 1651, and 1652.

Together with the Reasons why the Ministers, Elders and  
Professors, who protested against the said Pretended  
Assemblies, and the Pretended Assembly at *Edinburgh*,  
cannot agree to the Overtures made to them at the  
Conference upon the 28. and 29. dayes of *July* 1652.

As also the Instructions given by them to such of their  
Number as were sent to the said Conference.

And the Letter directed to Mr. *David*

*Dickson* for communicating  
their PAPERS.

Whereunto is subjoyned the Propositions which were  
offred to the Meeting of Ministers and others  
appointed to be kepted at *Edinburgh*  
*July* 21. 1652.



*Printed in the Year 1653.*





## OBSERVATIONS

Upon the Chief Acts of the Two late  
P. Assemblies at *S. Andrews* and  
*Dundee*, the Year of God  
1651. and 1652.

Act at *Dundee*, approving the Proceedings of the Commission  
of the former Assembly, *July 24. 1651. Postmeridien.*

**T**He Generall Assembly having considered  
the report of the Committee appointed for  
revising the Proceedings of the Commis-  
sion of the preceding Assembly; <sup>a</sup> and  
having also heard the doubts and ob-  
jections of diverse Brethren, against their  
Acts and resolutions after-mentioned, after due examination,  
long and much debate and mature deliberation, <sup>b</sup> The Assembly  
findes the Zeal, diligence, wisdom and faithfulness of the  
said Commissioners in the discharge of the trust committed  
unto them, very great, and in the manifold difficulties of this  
last years great and dangerous occasions, their watchfulness  
and labours to have been very singular and more then ordina-  
ry: And therefore do approve their Acts and Proceedings,  
<sup>c</sup> especially their sense of the Western Remonstrance, Perth  
Novemb. 28, their Answer to the Parliaments Quære,



anent the more generall calling forth of the People, Perth Decemb. 13. their Solemn Warning, Perth Jan. 6, their Answer to the Letter of the Ministers of the Presbyterie of Stirling, Perth Jan. 6. their Answers to the Letters from other Brethren and Presbyteries in relation to Publick Resolutions; their Answer to his Majesty, and Committee of Estates Letter anent the Protestation of the Ministers of Stirling, Perth March 18; their Act concerning the opposers of Publick Resolutions, and Letter to Presbyteries thereupon; their Answer to the Quere anent the Acts of Classes. <sup>d</sup> And in these and the rest of their proceedings, do judge them to deserve high commendation. <sup>e</sup> Onely the Assembly having considered their Act and Declaration of August 13, 1650. at the West Kirk, finding that some have already made ill use of the same: And to the end that it may not hereafter be to any a ground of unwarrantable proceeding in reference to the Kings Majesty, or any of his Successors, Declare, that the said Act and Declaration shall not in any time coming be interpreted to have any other meaning, then that the Kings Interest is not to be owned but in subordination to God, the Kirk being ever willing, as their duty is, to own and maintain in their station, his Majesties Interest in that subordination, according to the Covenants. And the Assembly Ordains Master Robert Bailzie Moderator pro tempore, to return to their said Brethren hearty thanks in the name of the Assembly, for their great pains, travell and fidelitie.

Sic subscribitur

A. K. E. R.

Obfer-

## *Observations upon the same Act.*

A. **T**Here was neither such fair hearing allowed, nor such due examination used, nor such mature deliberation taken as was requisite in such a case, anent which such a multitude of godly Ministers, Elders and Professors in the Land had so great dissatisfaction in their consciences; For, 1. Albeit the most materiall and important of these proceedings of the Commission ( to wit, their answers and resolutions about employing such as were formerly excluded ) were of things which the Authors thereof acknowledge not to have been determined by any of the former Assemblies of this Kirk, as is granted in the Vindication of that Assembly; yea, of things which to their knowledge were in the judgment of many gracious ones in the Land, contrary to many Acts, Warnings, and Declarations of former Assemblies, and to the Covenant, and the Word of God, yet as the Commission had at first determined the same in a very thin meeting at *Perth*, not only before communicating the same to Presbyteries, and hearing their judgment there anent; but the greatest part of their number being absent, and many of them not being at all advertised; so did that Assembly at *Dundee* go on very suddenly, notwithstanding that a delay was most earnestly desired at *S. Andrews* where they first met, and that it be expressly provided by an Act of the Assembly 1639, That no Novation which may disturb the Peace of the Church, and make division, be suddenly propounded and enacted; but so, as the motion be first communicated to the severall Synods, Presbyteries and Kirks, that the matter may be approved by all at home, and Commissioners may come well prepared, unanimously to conclude a solid deliberation upon these points in the Generall Assembly.

2. Albeit many things were offered unto them, both from the Scriptures and Reason, and from many Acts of former Assemblies against the proceedings of the Commission, and the approving thereof; the reading of a part whereof, to wit, Sir *Archibald Johnston* of *Waristoun* their own Clerk his Letter, was much pressed at severall Diets by many of their own number, yet were not these things heard, nor taken in consideration, nor could the reading

of that Letter be obtained, notwithstanding that it was once publickly promised by the Moderator.

B. Would to God their wisdome and faithfulness in the discharge of their trust had been such as might justly deserve such a commendation; but we fear that upon examination, it shal be found not to have been so : 1. Because they did not keep themselves within the bounds of their trust, which was to treat and determine in the matters referred unto them, as their Commission expressly bears ; but it was not referred unto them to determine Cases not formerly determined by any Assembly of this Church , there is no such clause in their Commission ; yet did they determine a very grave Case, to wit, the imploying of these who were formerly excluded , which by the chief Authors of that determination, is acknowledged to have been *indeterminati juris*, a fault that was the greater, because it is provided by the Acts of the Generall Assembly 1641, That since it hath pleased God to vouchsafe us the liberty of yearly Generall Assemblies, that no novation in Doctrine, Worship or Government, be brought in or practised in this Kirk, unlesse it be first propounded, examined and allowed in the Generall Assembly. 2. Because they did not onely go beyond their trust, but walk contrary unto their trust, great part of their trust was, to preserve the established Doctrine, Discipline, Worship and Government of this Kirk, against all who should endeavor to bring in any contrary thereunto , to censure Complyers and persons disaffected to the Covenant , according to the Acts of the Assembly, and to protest against all encroachments upon the Liberties of the Kirk; in all which three they failed : 1. In the matter of preserving the Doctrine, not onely because they taught and allowed, that Malignants being Subjects , might be imployed and intrusted for defence of the Cause and Kingdom, as appears at length in their Warning of the date *January* 1651. and in their Answer to the Letter of the Presbyterie of *Stirling* at the same Diet, notwithstanding that the contrary had been constantly taught and holden by this Kirk these years past , but also were instrumentall unto the actual imploying and intrusting of these men, which as to man could not but prove destructive to the Doctrine , Worship, Discipline and Government of this Kirk. 2. In the matter of censuring Complyers and Persons disaffected to the Covenant, according

cording to the Acts of the Assembly, because they did not onely allow persons who were not of constant integrity and affection to the Cause, and of a blamelesse and Christian conversation to be imployed and intrusted, which was contrary to our Solemne Engagement, but also because they take off Censures which had been formerly inflicted upon many disaffected persons, who had not in their ordinary conversation, given reall testimony of their dislike of the late unlawfull Engagement, and of the courses and wayes of Malignants, and of their sorrow for accession to the same, and to live soberly, righteously and godly, notwithstanding that this was expressly provided by the Act of the Generall Assembly 1649. and did ordain Presbyteries to censure all such Ministers within their bounds as did oppose or bear testimony against these their proceedings. 3. In the matter of protesting against encroachments upon the Liberties of the Kirk, because when some Ministers were confined at *Perth* by the Civil Magistrate for their doctrine, before they were cited or sentenced by any of the Judicatories for the same, they were so far from protesting against this, that as they were silent when these Ministers were first cited, notwithstanding that the Letter of citation was communicated unto them by the Committee of Estates; so by a Publick Paper given in to the Parliament, they did condemne the Protestation of these Ministers against that citation and confinement, which Paper is especially approven in this Act.

C. It is not our purpose to fall upon the particulars which are said to be especially approven here; but by the word *especially*, and by the particulars which are here mentioned, it is evident that the spirit which ruled in the Assembly at *Dundee*, was zealous above measure for the Publick Resolutions, most of all the Proceedings of the Commission that relate thereunto, or to the opposers thereof, or any Testimony given against the same, being particularly mentioned, and especially without leaving out, much lesse excepting so much as their Act concerning the opposers of Publick Resolutions, and Letter to Presbyteries thereupon, by which all of them were appointed to be cited as persons guilty to the Assembly, and so were excluded from having any hand to treat or vote therein in any thing concerning the Publick Resolutions, which beside the injury done to the persons, was to pre-limit the Assembly, and to make it  
up

up of such onely as did approve of their Proceedings.

D. The generality of Malignant and dis-affected persons in the Land, who have been enemies to Reformation and godlinesse, do joyn in this high testimony, and cry-up these proceedings and the Authors thereof, as deserving high commendation, but most of the godly of the Land refuse to put to their seal thereto, and make these proceedings the matter of their mourning, begging pardon and repentance unto the Authors thereof.

E. This is another evidence, what spirit led that Assembly, as every thing must be cried-up that made for strengthening of the Publick resolutions, so every thing must be cryed-down that made for weakening thereof; yea, that very Declaration which before *Dumbar* was unanimously condescended upon and approven both by the Commission of the Kirk and the Committee of Estates, for holding forth the true state of the quarrell upon which the Kingdom then fought, and for shutting out every Malignant party, or quarrell, or interest. 1. By insinuating that it hath already been to some a ground of unwarrantable proceeding in these words of their Act: *To the end it may not hereafter be to any a ground of unwarrantable proceeding in reference to the Kings Majesty, or any of his Successours.* 2. They take onely one clause of the whole Declaration, to wit, that *the Kings Interest is not to be owned but in subordination to God*, leaving wholly out another materiall part thereof, to wit, *and so far as he ownes and prosecutes the Cause of God, and disclaims his and his fathers opposition to the Work of God, and to the Covenant, and likewise all the enemies thereof*; which is again repeated thus in the close of that Declaration, *and that they will with convenient speed take in consideration the Papers lately sent unto them, and vindicate themselves from all the falsehoods contained therein, especially in those things wherein the quarrell betwixt us and that party is mis-stated, as if we owned the late Kings proceedings, and were resolved to prosecute and maintain his present Majesties Interest, before and without acknowledgment of the sins of his House and former Wayes, and satisfaction to Gods People in both Kingdoms.* The omitting of which Clauses doth so far as I can discern either from the Assemblies own words, or from the judgments and expressions of these who had chief hand therein, or from comparing things with things, indeed import an altering

altering of the state of the question, and brings it to that which was so much pleaded for by the opposers of Reformation from the very beginning of our differences with the Kings father, especially by some of the Authors of the crosse Petition in 1643. and of the unlawfull Engagement in the year 1648. to wit, that though the King did not disclaim his former opposition to the Work of God and to the Covenant, and likewise all the enemies thereof, and own and prosecute the Cause of God, yet we ought to owne his Kingly Interest, by admitting him to the exercise of his Royall Power, and obeying him in all things lawful, which how far it reacheth, as to the casting loose, and condemning of the former proceedings of this Church and Kingdom with the King and his Father, and making a new state of the question, hath been often heretofore shewen by this Church, and cannot but be obvious to every intelligent man.



Two Acts of the Assembly at *Dundee*,  
and one Act of the Assembly at *Edin-*  
*burgh*, which relates unto censures.

DUNDEE *Julii 31. 1651. antemer. Sess. 19.*

Act for censuring of those who do not acknowledge this  
present Assembly, and do not acquiesce to the  
Acts thereof, &c.

**T**He General Assembly considering that all persons who  
protest against, and decline the authority of the General  
Assembly, are censurable by the Acts and Constitutions  
of this Kirk, with the highest censures thereof, and that by  
the Act of the solemn General Assembly of Glasgow, 20.  
Decemb. 1638. Sess. 26. Presbyteries and Provincials are or-



dained to cite and censure all such as would not acknowledge the said Assembly. And the Assembly being very sensible of the prejudice this Kirk may suffer in her Liberties and Privileges, by the beginnings of such practices (if they be not timely prevented and restrained) Therefore according to the practice and example of the said Assembly, They ordain Presbyteries and Provinciall Assemblies, to call before them all persons that do not acknowledge this present Assembly, and to censure them according to the degree of their contempt and obstinacie to the Acts of this Kirk: And the Assembly having also considered that by the afore-mentioned Act of the Assembly of Glasgow, and another Act of the said Assembly, Decemb. 18. Sess. 24. Presbyteries are ordained to proceed against these that do not acquiesce to the Acts of the said Assembly, and that refuse themselves, or draw others from the obedience of the Act of the General Assembly, in manner mentioned in the said Act. Therefore do ratifie and approve the said Acts, and declare, that they are to be extended against Ministers censured by this Assembly, and all those that oppose the Publick Resolutions thereof. Ordaining also Presbyteries and Provincial Assemblies, To call before them all persons that shall not acquiesce to the Acts and Constitutions of this present Assembly, and to deal with them by conference for their satisfaction. And if in their conference with them they shall still oppose the Acts and Conclusions of this Assembly, That they censure them according to the degree of their offence and obstinacie to the Acts of this Assembly. And where Presbyteries are negligent or wanting herein, the Assembly appoints the Commission appointed for publick Affairs, to proceed against the said offenders respectively and to censure them in manner above specified, giving unto them full power for that effect.

## Eodem die at Dundee Sef. 19. antemerid.

Act against Expectants who oppose the  
Publick Resolutions.

**T**He General Assembly understanding the scandall and prejudice of practices and carriage of some Expectants and students, attenders of families, for performance of religious duties by their private or publick opposing Publick Resolutions; For removing whereof, they do extend the Act of the Assembly 1640. Sess. 10. against expectants, refusing to subscribe the Covenant and the censure therein specified, against all expectants, students in Divinity, and attenders upon families for religious duties, that shal not acknowledge the General Assemblies of this Kirk, and this present General Assembly, and that shal not acquiesce to the Acts and Constitutions thereof; and do ordain them to be removed from Bursaries, and to be discharged from publick preaching and catechising in Congregations and families, and from all other privileges and liberties allowed to expectants; appointing Presbyteries and Provincials to proceed against them accordingly.

## Edinburgh 3. Aug. 1652. antemer. Sess 19.

Act concerning admitting Expectants to their tryals, and  
Ruling Elders to act in Presbyteries and Synods.

**T**He General Assembly having out of their earnest desire of the Peace and Unity of this Kirk, condescended upon an Overture of Peace, and not onely propounded it to some Brethren who were here, opposite to the Publick Judicatories of this Kirk, But also in pursuance of that end, Ordained the said Overture to be presented and offered by the several Presbyteries or Synods, to all in their respective bounds, who have Protested against, and Declined, or consented or adhered unto the Protestations and Declinations made against this and the preceding General Assembly, and the conditions therein contained, to be required of them; And considering the great prejudice like to arise to this Kirk, by encreasing of our unhappy Differences and Distractions, if young men shal be admitted into the Ministry, which shal still blow the

fire of contention, and continue in avowed opposition to, and contempt of the Publick Judicatories, Therefore Ordains Presbyteries to take special care, that upon the calling of any Expectant to a particular charge of the Ministry, before they admit him to his trials, they require him under his hand, to passe from the Protestations and Declinatours against this, and the preceding General Assembly, if he hath been accessory to the same, and to promise and give assurance, that he shal abstain from holding up Debates and Controversies, about matters of Differences in this Kirk, since the Assembly 1650, in Preaching, Writing, or other Wayes. Upon the performance whereof, the Presbyterie shal proceed to his trials; if not, in that case, the Presbyterie shal forbear to proceed until the next General Assembly, leaving liberty to the Presbyterie and Congregation for planting of the place otherwise. And the Assembly Ordains and requires, that Presbyteries be not sudden to lay by such young men as at first refuses or scruples to perform these conditions mentioned, but that pains be taken upon them to convince them of the reasonablenesse thereof, and to persuade them to embrace them, and to give them a competent time for that effect.

Likeas the Assembly considering the prejudice of Elders coming to Presbyteries for strengthening a faction in opposition to the Publick Judicatories, Ordains, that Presbyteries shal require the same things fore mentioned of every Ruling Elder that comes to sit and act in Presbyteries; and in case of his refusal, shal not admit him to act as an Elder in the Presbyterie, but require the Kirk Session from which he is sent, to make choise of, and send another, who for the Peace of this Church, shal agree to perform the conditions required.

THESE three Acts I have put together, because they are much of the same or like nature, that is, such as ordain censures upon these who do not acknowledge the authority of that Assembly at Dundee, or who shall not acquiesce to the Acts and Constitutions thereof, or who shall not passe from the Protestations against these two pretended Assemblies at Dundee and Edinburgh; and I offer unto the Reader these animadversions upon them: 1. That in the first Act at Dundee, the Act of the Assembly at Glasgow 20. Decemb.

*cemb, 1638. Sels. 26.* is not faithfully made use of, but by leaving out of some words is stretched beyond the sense and meaning thereof, The words of that Act *Decemb. 20. 1638* are, *that all such as are scandalous and malicious, and will not acknowledge nor acquiesce unto the Acts thereof, be censured according to their malice and contempt.* But at *Dundee* these words, *scandalous and malicious* are left out, and the censure is extended to all persons that do not acknowledge that Assembly, how blameless or holy soever they be in their carriage, or how tender or sober soever they be in not acknowledging the same. 2. Whereas the Act of *Glasgow 1638. Decemb. 18. Sels. 24.* Ordains *Presbyteries to proceed with the censures of the Kirk to excommunication against those Ministers only who being deposed, acquiesce not to their sentences, but exercise some part of their Ministerial function, refuse themselves, and withdraw others from the obedience of the Acts of the Assembly.* By the Act at *Dundee*, all persons whatsoever who shall so do, are made liable to excommunication. That the sin and snares of these three Acts may be the better understood, I desire a short view to be taken. 1. Of the thing that is thereby made censurable. 2. Of the censures themselves. 3. Of the persons who fall under that censure. The thing that is made censurable is, the not acknowledging of that Assembly, or not acquiescing to the Acts and Constitutions thereof, or refusing to pass from the Protestations against the two late Assemblies, &c. things that are in themselves not censurable, but commendable, not sins but duties, as is sufficiently demonstrated in other Papers and Treatises which are already published; because that Assembly at *Dundee* was no free nor lawful Assembly.

The censures contained in these Acts are either in reference to places and trust in the Church, or in reference to Church-fellowship and communion as Church-members. The censures of the first kind are either for keeping from places and trust, or for removing from the same. The first are relative. 1. To Expectants, students of Divinity, attenders upon Families, who by the second Act at *Dundee*, and by their extending the Act of the Assembly 1640. Sess. 10. are declared incapable of a Pedagogie, teaching of a School, catechizing of a family, preaching or catechizing in a Congregation, or of a Burfary, or of liberty to reside within a Burgh, University or Colledge

Colledge, or of any other privilege and liberty allowed to Expectants And by the Act at *Edinburgh* it is provided, that if any of them be called to a particular charge of the Ministerie, that the Presbyterie shall not admit him to his trials, unless he do under his hand passe from the Protestations against these two Assemblies at *Dundee* and at *Edinburgh*, and promise and give assurance never any more to open his mouth, nor put pen to paper against the Publick Resolutions, and the things that have followed thereupon, which they expresse by abstaining from holding up Debates and Controversies about matters of Differences in this Kirk, since the Assembly 1650. which if he do refuse, that there shall be no proceeding in his tryals till the next Generall Assembly, and that in the mean while liberty be left to the Presbyterie and Congregation to plant the place otherwise. 2. To Ruling Elders coming to sit and act in Presbyteries, who by the Act at *Edinburgh* in case of their refusal to perform the things formerly mentioned, the Presbyteries are ordained not to admit them to act as Elders in the Presbyterie. These censures that concern removing from places and trust, are determined in regard of Elders in Presbyteries, and Expectants to preach or catechize in Families or Congregations, or have Bursaries, for both these (if they do not condescend to the former conditions) must unjustly be removed and discharged, the Elder from sitting in the Presbyterie, the Expectant from his preaching or catechizing, or bursarie. Concerning Ministers they are not so expresse, but leave it to Presbyteries, to proceed according to the degree of the offence; yet so, as there be clear ground laid for their suspension or deposition; yea far more, because they not onely appoint censures equivalent to the suspension or deposition of Ministers upon Expectants and Elders, and have gone before by their own example, suspending some Ministers, and deposing others: but do ordain Presbyteries and Provinciaall Assemblies, to call before them all persons that do not acknowledge that Assembly at *Dundee*, and to censure them; and do also in the beginning of the first Act declare, That all persons who protest against, and decline the authority of the Generall Assembly, are censurable by the Acts and Constitutions of this Kirk, with the highest censures of this Kirk; and in the body thereof do declare, That the two Acts of the Assembly at *Glasgow* 1638. (The first whereof ordains Presbyteries

to proceed with the censures of the Kirk to excommunication) are not onely to be extended against Ministers censured at *Dundee*, but also against all those that oppose the Publick Resolutions thereof.

The censures that relate to Church-fellowship and communion, are designed in the first Act, which strikes equally against all persons whatsoever, who are Church-members, Ministers, Elders, Expectants and Professors, who if they do not acknowledge that Assembly at *Dundee*, are appointed to be cited and censured according to the degree of their contempt and obstinacy against the Acts of this Kirk, and if they oppose the Resolutions, or do not acquiesce to the Acts and Constitutions of that Assembly, then to be proceeded against and censured according to these Acts at *Glasgow* which are extended unto them; now the not acknowledging or declining the authority of the Assembly is in their construction in the beginning of this Act, censurable with the highest censures of the Kirk, according to the Acts and Constitutions of this Kirk, and the opposing of the Publick Resolutions, or the not acquiescing to the Acts and Constitutions of the Assembly at *Dundee*, is to be censured with the censures contained in the Act at *Glasgow*, Dec. 18. Scilicet 28. 1638. Thus all the Ministers, Elders and Expectants in the Church of *Scotland*, who do not acknowledge that Assembly, or oppose the Resolutions thereof, or do not acquiesce to the Acts and Constitutions thereof, are to be laid aside, discharged, silenced, suspended or deposed; yea all the Ministers, Elders, Expectants and Professors in the Church of *Scotland*, who do not acknowledge that Assembly, or who do oppose the Resolutions thereof, or who do not acquiesce to the Acts and Constitutions thereof, are made liable to excommunication, if after conference they do not receive satisfaction.

From what is already said it doth appear who are the persons (as to the matter of their supposed offence) are to be censured. I shall onely adde, that as to their reall qualification and carriage, that they are not such who have been enemies, or disaffected to the Work of Reformation, or scandalous or loose in their conversation, but such as have been zealous thereof, and faithfull therein from the beginning, and blamelesse in their conversation, and cannot acknowledge that Assembly, nor acquiesce to the Acts and Constitutions



tutions thereof for conscience sake, having a well-warranted persuasion in themselves, that they do herein walk according to former sound principles, to depart from which were but to involve themselves in the common defection with others. And as these persons are so qualified in their carriage to the Publick Work, and in their conversation, so for their number they make up a very great part of the godly in the Land, whether Ministers Elders, Expectants or Professors.

## *An Act and Overture of the Generall Assembly, for the Peace and Union of the Kirk.*

*Edinburgh 2. August, 1652. Postmeridiem. Sess. 18.*

“**T**HE Generall Assembly being deeply affected with sense of the many and sad evils & calamities that have already arisen both to Kirk and State within this Land, by the lamentable divisions and distractions amongst Ministers and others of the People of God in this Kirk, and apprehensive of greater evils which may yet follow, to the overthrowing of the blessed Work of Reformation, (which the Lord, in his great and speciall mercy, was pleased to set up amongst us, having carryed it through many difficulties and oppositions) and to the laying of the Kirk of God waste and desolat, if these divisions and distractions shal continue; And being most desirous, as the Servants of Jesus Christ, who is the Prince of Peace, to use all necessary and lawfull means (so far as their knowledge and power can reach) for preventing the increase of these divisions, and making up of the breaches. And being firmly resolved, for obtaining of this desirable end, in all meekness, gentleness and moderation, to condescend so far as they can, without violation of Truth, and of the just authority of the Government and Courts of Jesus Christ in his Kirk) unto their Brethren of the Ministry and others of the People of God, who have been this late time by-past, and are at difference with the Judicatories of the Kirk, for bringing them to an happy conjunction

"junction with their Brethren in unity of the Spirit in the bond of  
"Peace.

"Therefore, for giving an evidence and demonstration of their  
"real intentions & sincere purpose about the premises, as they have  
"already, by some of their number commissioned for that effect,  
"Declared and made offer to some of these their Dissenting Bre-  
"thren, who were here in the time of the Assembly, so now again do  
"Declare and make offer by this present Act, That the four Bre-  
"thren, who, by the preceding General Assembly at *S. Andrews* and  
"*Dundee*, were upon speciall consideration justly censured, for pro-  
"testing against and declining the Authority thereof, shall have the  
"censures inflicted on them by that Assembly for the cause foresaid,  
"taken off them; And further, that no censure shall be inflicted on  
"them for not submitting to the foresaid censures; yea, and that no  
"censure shall be inflicted for their Protesting against, and declining  
"of this present Gen. Ass. Providing 1. that they do passe from the  
"said two Protestations against, and declinators of the two foresaid  
"Assemblies, judicially under their hand, between and the second  
"Wednesday of *November* next ensuing, in their several Presbyte-  
"ries or Synods *respectivè*. 2. That they also give assurance in  
"manner foresaid, that they shall forbear holding up divisions by  
"debates about matters of our late differences since the Assembly  
"1650. in preaching, writing, or any otherwise. Likeas the As-  
"sembly doth Declare and make offer, that all such as did concur in,  
"or have been accessory unto the Protestation and Declinatour a-  
"gainst the Assembly at *S. Andrews* and *Dundee*, and were not  
"censured, shall be free from whatsoever censure might have been  
"inflicted by any Act of the said Assembly, and that no such Act  
"shall have any force against them hereafter in any Judicatory of  
"this Kirk, and that no censure shall be inflicted on them for their  
"accession unto the late Protestation and Declinatour against the  
"present Assembly, Providing they shall perform the foresaid pro-  
"visions within the time, and after the manner therein specified.  
"And for prosecution of this purpose, the Generall Assembly  
"ordains the several Presbyteries or Synods of this Kirk to present  
"this offer, with the Provisions therein contained, unto all such per-  
"sons as are before-mentioned within their bounds *respectivè*: And

"in case the plurality of Presbyteries or Synods shal refuse to pro-  
 "pound the same, the Assembly doth warrand such Brethren as ac-  
 "knowledge the Authority of these Assemblies, to propound them:  
 "and, having made report of their diligence and successe therein to  
 "the next ensuing Quarterly Meeting of the Commission of the  
 "Kirk, if they be then sitting, thereafter to do as they finde  
 "by the Rule of the Word of GOD, and the Acts and  
 "Constitutions of Generall Assemblies of this Kirk, to be most ne-  
 "cessary and conducible for preservation of truth, for procuring  
 "the Peace and welfare of the Kirk, and maintenance of the Au-  
 "thority of the Assemblies thereof, as they will be answerable to  
 "the next Generall Assembly; And recommends unto them to  
 "take advice of the Commission of the Kirk for their proceeding  
 "in any matter of importance of this kinde.

" And now the Generall Assembly having out of tender affe-  
 "ction toward their Brethren, and sincere desire of unity and con-  
 "cord with them in the Lord, and for the Lord, condescended unto  
 "this moderation and meeknesse, do obtest all and every one of  
 "them in the Name of Jesus Christ, and expect, as they tender the  
 "preservation of the Government of this Kirk (which adversaries  
 "without and within, taking advantage of our divisions and di-  
 "stractions are labouring to subvert) and as they love the esta-  
 "blishing and promoting of the Kingdom of Christ in this Land,  
 "and will be answerable to him in the great Day, that they would,  
 "accepting of this offer of love, return unto unity with their Bre-  
 "thren in their severall respective places and Judicatories, and con-  
 "cur in an unanimous way, for preserving and promoting the  
 "Work of Reformation in all the parts thereof, and for electing of  
 "Commissioners to the next ensuing Generall Assembly. And if  
 "they shall (refusing to accept this offer) continue to hold up the  
 "divisions, the Assembly leaveth it to the judgement of all the  
 "Kirks of Christ abroad, to bear witness if we have not faithfully  
 "endeavoured for our part, to heal our present breaches; and if we  
 "shall not be free of the guilt of the sad consequences that may  
 "come to the Work and people of God in this Land, by continued  
 "distractions.

*J. Makghie.*

This

**T**His Overture, for the substance of it (as is hinted in the Paper it self ) was in the time of the sitting of that Assembly communicated in a Conference by some of the Members thereof in the name of the rest, unto some who were sent from the Meeting of these who differ from the Publick Resolutions; and being reported by these Brethren unto the rest of their number , was taken in consideration, and reasons then given (which are herewith printed) shewing the unsatisfactoriness thereof, and why it could not be embraced; which reasons are still in force. I shall therefore now only desire these two things to be taken notice of in this Overture. 1. That notwithstanding of all the Solemn professions of real intentions and sincere purposes of peace and of meekness, gentleness, moderation and condescendence, which are contained in this and others of their Papers , yet they not onely justify and hold fast all their former grounds and proceedings in reference to themselves and their own judgments , but impose them also upon their Brethren ( who differ from them , and have been so much stumbled therewith ) as the onely mean of healing and of Peace. And therefore in reference to what is past, whosoever have concurred in, or been accessory to the Protestation against these two Assemblies, must passe from the same judicially under their hands, between and the second Wednesday of *November* next ensuing in their severall Presbyteries or Synods *respective*, and in order to the Publick Resolutions , must give assurance in manner foresaid, that they shall forbear to speak or to testify any more against the sin of these which they expresse, by forbearing to hold up divisions by debates, about matters of our late differences since the Assembly 1650. in preaching, writing, or any otherwise, and in reference to what is to come, the Acts of the Assembly at *Dundee*, for censuring of all these who do not acknowledge the Constitution of that Assembly, or who do oppose the Resolutions, or who do not acknowledge the Acts and Constitutions thereof , stand unrepealed ; to which, a new one in this Assembly at *Edinburgh* is added, excluding all Expectants and Ruling Elders, who refuse the conditions contained in this Overture. When I think upon these things, I can not but call to minde and lay before others to whom Union and Peace ( which is so much pleaded and pretended ) may and ought

to be sweet and dear. 1. That which was spoken publickly in that Assembly at *Edinburgh* by one of their own Members, whilst they were upon the debate of their Acts and Overtures about these differences; to wit, *All the Reverend Brethren speak for moderation, but I think we are very like those in Micah, who cry peace peace and bite with their teeth*, Micah. 3. v. 5.

Secondly, The practice of our Prelates in *Scotland*, who after they had usurped upon the Church, and brought in many of their corruptions did aggravate & cry out of all the evils of divisions, and schisme, and much plead for, and make great professions of a desire of union and peace, that the Church might be strengthened against the common enemy, by whom it was threatned with great danger, and against whom they did professe much zeal; but so as they did alway hold fast their corruptions, and go on therein from year to year, and would not yeeld to any other grounds of union and peace, but such as did include the approbation of, and subjection to their authority and proceedings, and yet did alwayes charge their Brethren who did bear testimony against their defection, and could not be consenting to their courses, as men of unpeaceable dispositions, and turbulent spirits, who would rather rend the Church of GOD, and fill all with confusion and division, before they did not satisfie their own proud and contentious humours, in striving (as they alledged) about things (of no great consequence) relating to Church Policy, when there was no difference in matters of Doctrine; who so pleases to look upon the records of that corrupt Assembly at *Lithgow* 1608. will find that the Prelates and their party who prevailed in that Assembly, make a great deal of noise concerning the distractions of affections, and diversity of judgments that was arisen amongst the Ministry, and upon the first of these they do insist at length, holding it forth to be carnall, and therefore say they, the more dangerous, because it suffers not the Brethren whose affections were separated to unite themselves with effault and unforme counsels and advice to resist the subtle practises of the common enemy, and so gave him place with his subtle crafts and shifts to enter into the Kirk of GOD, and thereby to supplant and undermine the same: Therefore their advise is, that as the danger increases by the nourishing of the distracted affections of the Brethren, even so the cure was the more necessary, and hastily

sily to be applied, to wit, that the whole Brethren of the Ministry should presently in the fear of God lay down all rancour and distraction of hearts and affections which either of them hath born against others in any times, and be reconciled with hearty affection in CHRIST, as becomes them who are Ministers of the Word of GOD, and Preachers of peace and Christian life and charity to his people, to the effect that by this hearty reconciliation, hearts and advice may be communicate for disappointing of the crafty devise of this common Enemy. But as to that which was the reall and first fountain of this distraction and difference of judgment, to wit, Ministers voting in Parliament, their taking of Prelacies, and settling constant Moderators; no acknowledging of these things as a sin, or passing from them as corruptions, but holding them fast, and building a further superstructure of declining upon them, whilst in the mean time by their professed forwardnesse against Papists, who was then the enemy with whom the Church had to do, and the arguments taken from the benefite of union and peace, and the sad consequences, and bitter fruits of distraction and division, and the small importance of the things which were then in question amongst Brethren did prevail with many of the Ministry, not only to engage themselves in a solemn way in the Assembly, and in their Presbyteries, with holding up of their hands to lay down and cast away all grudge and rancour that any of them did bear at another, and to maintain union of hearts and affections, and to continue in mutuall friendship and holy amity in GOD, as becomes the Pastors of the Kirk of Christ, (which was a thing in it self very good and commendable) but also to be silent in all matters of difference about the Government and Discipline of the Kirk, by which it came to passe, lest they should thereby hinder union and peace, and weaken joynt endeavours against the common enemy, that whilst the Shepherds were sung asleep, the foxes came in and destroyed the vines, which may give warning to all the Ministers, Elders and Members of this Church who desire to have the work of Reformation preserved in purity, and promoted in power, that they be not as their fathers and Predecessors not long ago, charmed into silence by the sweet songs of union and peace, untill they be cheated out of the precious Truth, and pure Ordinances of GOD; but that they take notice of, and resist the beginnings of evil, by refusing to be



be consenting thereto, and concurring therein, though haply they should because of this, be cryed out on, as the troublers of *Israel*, and as these who weaken the hands of the Church against the common enemy, by contending about things of no great importance.

The other thing which I take notice of in this Overture is, that notwithstanding the authors and approvers thereof charge the Protesters with laying of the grounds of separation, and for making good their charge, do amongst other grounds alledge, that though they be but the smaller and the fewer number, they take upon them to judge and act in the things of the Church, and to exercise jurisdiction and authority over their Brethren: Yet in this Overture this power seems to be given by the Assembly to the smaller part, or fewer number in Presbyteries or Synods who acknowledge the authority of these two Assemblies at *Dundee* and *Edinburgh*, because both in the matter of propounding the Overture, and in the matter of reporting of diligence, and in after doings, the same things are committed and intrusted to the fewer or smaller number which are committed & intrusted to the whole, or greater part of the Presbytery or Synod. It is true that they ordain them to do as they find by the rule of the Word, and the Acts and Constitutions of the Gen. Assemblies of this Kirk to be most necessary and conduccable for preservation of Truth, for promoting the peace and welfare of the Kirk, and maintaining of the authority of the Assemblies thereof, but yet puts a restriction upon the smaller part to proceed even to censures against the greater part, but onely layes down the rule according to which they ought to proceed, and the ends which they ought to have before them in their procedures when they do proceed unto, or abstain from censures, as seems to be clear by their way of Expression; and to confirm that this is the meaning, I desire it to be considered: First, that if they had an other meaning it had been easie for them to expresse it in such words as would have holden forth their sense clearly and unquestionably. Secondly, these limitations which they use as to the matter of procedure, are equally holden forth both to the greater and smaller part of Presbyteries and Synods. Thirdly, They did take notice of the smaller parts of Presbyteries in severall places of the Country who had withdrawn and separated from the grearer part, and acted Presbyterially, and apart by themselves, not onely without the

concurrence and consent, but against the Authority and declaration of the greater part, yea they did receive Commissioners from some of them, and admitted them to sit as Members of their Assembly. Fourthly, they gave Commissions for over-powering the greater part in some Presbyteries, that Churches might be planted, and things done contrary to the minde of the greater part. If notwithstanding of these things, or any thing that is intended in the Overture it self, they will vindicate it from such a meaning; I believe it shall be acceptably taken off their hands, but untill it be done, I wish none of them may charge the Protesters with separation upon that ground for which they themselves, to the apprehension of the Protesters, have both in their acts and practice clearly paved the way.

*Edinb. 5. Aug. 1 52. Antemer. Sess. 23.*

*a Right Honourable, right Worshipfull, and Worthily respected,*

“**V**VE, being met in *Edinburgh* at the time appointed by the former Assembly at *Dundee*,<sup>b</sup> of purpose to study “the healing of begun breaches in this Kirk, were interrupted at “our first down-sitting, and hindered from constitution of the Assembly by our Dissenting Brethren their offer of Propositions and “desires to be granted by us, which could not to any good purpose, “either be debated or effectually granted, as was required, before “the Assembly was constitute, and the Judicatory fixed. Which “short delay of our answer, till we were in capacity to answer,<sup>d</sup> was “met with a Protestation, prepared before hand, for a declinatur “of the Judicatory, and all the Commissioners of Presbyteries,<sup>e</sup> as “freely chosen as any were, and sent forth from all parts of the Kingdom. In which Protestation were contained <sup>f</sup> many grievous and “unjust aspersions upon us and others ( who dare not pass from “the possession of <sup>g</sup> yearly Generall Assemblies; which, being in “former times interrupted, was purchased at a dear rate, before it “was recovered)<sup>h</sup> and all this was presently put in Print, to the “great disadvantage of us, and mis-information of all the Kingdom.

"dom. After the Assembly was constitute, a conference was offered by us, wherein some from us desired, That to the intent we might joyn the better for promoting the Work of Reformation, legall bars hindering us from peace, to wit, Protestations on the one hand, and Censures inflicted, or which might be inflicted, on the other hand, being removed. They should give assurance to forbear to trouble the Kirk, by holding up debates on the matter of our late Differences, about the managing of Publick Affairs. But after conference, finding no ground of hope for present agreement, we have made the same offer to all them who adhered to the Protestation, whether in the Town for the time, or not, as our Act ( the Copy whereof is with these come to your hands ) at more length doth declare, and granted unto all, time to advise till the second Wednesday of *November* next to come. And now because our Dissenting Brethren have the advantage of the Press for the present, and are too too diligent and painfull in gathering of hands and subscriptions to their Protestation, of young men or elder, masters or servants, without any tryall of their qualification, to make the world think, that the generality of the godly ( as they in their Papers presume to call themselves ) and that in great number do stand for their divisive way, Therefore we thought it our duty to write unto you all, who love the Union and Peace of this afflicted Kirk, that by your counsell, conference, and all other godly means, so many as in your bounds, Ministers, or others, are upon this divisive way, which tendeth so much to the hinderance of the Work of Reformation, and peace of the LORDS distressed people, may be timously reclaimed, and moved to accept the peaceable offer made to them by the Generall Assembly, and the rest within your bounds may be kept free from this uncouth separation, that it grow not greater, and that difference of judgment about the managing of publick affairs in our late troubles, which occasioned this unhappy rupture, may be no prejudice to our joynt acting in Ecclesiastick Judicatories, for keeping the Liberties thereof, and the peace of this Kirk, which at this time doth so much call for communion of counsels and actions: Wherein as you shall prove instrumentall, you shall be found to do a work of service unto

"God,

" **GOD**, of love to your Mother-Kirk, now distressed on all hands,  
 " most sureable to your Covenant and Profession, and contributive  
 " as to your peace, comfort and credit in this life, so to the fur-  
 " therance of your reckoning in the day of the LORD.

*Subscribed in name and at command  
 of the General Assembly, by*

#### OBSERVATIONS.

A. It sufficeth not the authors and abbettors of the Publick Resolutions who were Members of that Assembly to have stirred up the Civil Magistrate against their Brethren, and to have made acts in the Commission where these Resolutions were first taken, first requiring Presbyteries to censure the opposers thereof, then to cite them to the Assembly, and in these two Assemblies for excluding and removing them from all Ecclesiastick employments, from Church communion and fellowship; but they must now for ensnaring of them or rendering them contemptible and hatefull throughout the land, write this Letter to Noblemen, Barrons, &c. in all the parts of the Country.

The direction or inscription is comprehensive (which is also proven by the deliverance of these Letters to sundry such in severall parts of the Country, and by their sticking upon the receipt thereof) even of many of these whose admittance to Church-fellowship, and to power and trust, is the great ground of the Protesters stumbling and grievance; I mean many malignant and disaffected persons, who being formerly excluded were received by the Commission 1650. without sufficient evidences of their Repentance, and are cleaving unto their former bad Principles, and continuing in their former evill courses, must these be first admitted without repentance, and then whilst they are proclaiming their impenitency to the whole Land by their evill fruits, be sent to reclaim such who did bear testimony against receiving of them; surely this is a strange method, and if there had not been a turning of things up-side down it would not have been thus.

B. That some of them had such a purpose I do not question, but that the greater part had it, is not like. 1. Because at their former Meeting at *Edinburgh* the twelfth of *May*, they did refuse to delay the indicting the Diet of their Assembly for a few dayes, until

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some considerable number of those who did differ from them might be advertised to meet : Notwithstanding that, it was earnestly desired, to the effect that by mutual previous conference some right understanding might have been begotten, and way made for the chusing of Commissioners and sitting of an Assembly, with the mutual consent and satisfaction of both. 2. Because it being most earnestly desired, and the Reasons thereof at large remonstrated unto them the first day of their Meeting, that they would forbear to constitute themselves in an Assembly, until first there might be a Conference upon these Propositions. ( which desire and Remonstrance they do here suppress, putting another face upon the business ) yet did they refuse the same, notwithstanding that the present constituting of the Assembly was to make the matter hopeless, and to put us upon the necessity of a Protestation, unless by our silence being present, we would have involved our selves in the acknowledgment of an unlawful Authority : and notwithstanding that the delay was pressed by some of their own number, and that it might have been condescended unto, without any detriment to themselves, or their cause, ( unless it had been two or three dayes longer stay in town ) seeing they could conveniently according to the sundry former instances of that kind, which were then given, have kept their Assembly under adjournment, though not constituted.

C. They might have been debated and granted to very good purpose before the Assembly was constituted, and the Judicatorie fixed ; because the debating and granting of them in an amicable way, and in a mutual free Meeting of both, was the most effectual means of removing differences and begetting a right understanding, and so of having a free and lawful General Assembly, which would have produced an unanimous and effectual Conclusion upon these Propositions, whereas to refuse to Debate, or grant any thing by way of friendly conference, or constituting of the Assembly, and fixing of the Judicatories, was in effect to deny these Propositions and make them ineffectual, because a main intent of these Propositions was, to find a remedy for the wrong constitution of the former Assembly at *Dundee*, and for preventing of the like now at *Edinburgh*, which was altogether disappointed by their proceeding to constitute the Assembly.

D. There

D. There was a necessity of a Protestation, because the desire of delaying the constitution of the Assembly, until there might be a previous conference, was so peremptorily and needlessly rejected.

E. The choice was not free, because the Letter of their Commission from their Meeting at *Edinburgh* in *May*, did contain a pre-limitation, appointing the election to be made according to a rule, which did include the Acts and Constitutions of the Assembly at *Dundee*, which do exclude all that are opposit to the Publick Resolutions; and because there were dissents and protestations against the election in several places, neither were they sent forth from all parts of the Kingdom, because there were many Presbyteries who did send forth no Commissioners at all.

F. Whether there were any grievous aspersions, and unjust imputations contained in that Protestation, doth appear from the Reply that is given to the Paper, wherein those pretended aspersions and imputations are holden forth.

G. Yearly General Assemblies, rightly constituted, and proceeding rightly, are as much and as earnestly desired by the Protesters as by any others; and from the desire which they have to preserve the liberty and freedom of these, they do bear testimony against the pre-limiting and corrupting thereof.

H. Nothing was put in print by order of the Meeting, nor was it at all done, until there was no hopes to obtain what was desired: And what was printed, though it might be to their disadvantage, yet was it not the disadvantage of the Truth, or mis-informing of the Kingdom; but for giving them a true accompt of matters as they then were, and though by the order of narration which they do here make, they insinuate that things came out in print before the Conference ended, which they afterwards mention, yet was nothing published in print, until that Conference was given up and made hopeless.

I. They allage, That a Conference was offered by them; but they neither tell when, nor how, nor to whom it was offered; and I beleve it would trouble them so to do, for they did keep such a distance that they would neither send nor allow any of their number to motion a Conference to their Brethren who were met together, but desired some of their number to tell such of them as they met with upon the streets, that they were willing to confer; and



when at length there was some meeting of some few of both sides, those of that Assembly, who were upon the Conference, could by no perswasion nor reason be induced to give any note of their Overtures in writing, though it was often and earnestly desired, that being clearly communicated to the whole Meeting of Protesters, they might return a clear Answer thereunto.

K. Why this desire was not hearkened unto, good and relevant reason, is given in another Paper long since printed and published.

L. That advantage at that time, for any thing their Brethren know, was open to both alike, and did appear immediately thereafter to be so by their Papers against the Remonstrance and Protestation which came abroad in print.

M. There was no diligence nor pains used to gather any Hands to their Protestation, only those who were come together from several parts of the Country from their respect and affection to the Cause (many of which came commissioned from others) did put to their Hands; and for that which they say of young-men, or elder, masters or servants, without any tryal or qualification, it is a little disdainfully and too liberally spoken; there were many honourable and grave persons there, and though some were young-men or servants, yet is that no imputation either to themselves, or to the cause which they maintain: for it's neither mens age nor condition that doth difference them in the matters of God, but their qualification and carriage which is known to be blameless and christian, as to those who subscribed the Protestation; and if they can give any instance to the contrary, I beleieve the Protesters will take it for a favour to have any inordinate walken of their number discovered unto them, & shall accompt it not the weakening, but the strengthening of their Cause to be rid of such; yea, at that Meeting where the Protestation was subscribed, it was their care to admit none to joyn with them, but such as were of a known integrity, or if not so well known to all, yet such as had the testimonie of others who were known to all; and being such, how mean soever their condition was, that could not be a reason or ground to refuse their testimony, when it was willingly offered.

N. Albeit a great deal adoe is made upon that expression, yet there is truth in the bottom of it, most of these in the Land, who have a testimony in the consciences of truly godly Ministers or

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Professors either upon the one side for the other, for acquaintance with God and the power of godlinesse, being of that mind; and if this expression satisfie not, that the generality of the godly stand for that divisive way, I shall give them one that they can lesse contradict, that is, that the generality of the wicked are against that divisive way, and for their uniting way; yea, I trow that sober men among themselves will not refuse it, that the wicked, Malignant, loose, prophane persons in the Land, almost to a man, and as one man, do zealously, and to their pith, oppose, and contradict and reproach that divisive way, and cordially promote and commend their uniting way, or the way of these two Assemblies at *Dundee* and *Edinburgh*; and though this argument be now undervalued, yet was it wont to bear weight in the 48 year of God against the unlawfull engagement. And, I confesse, with me is of a very great weight. That which relissheth so well to the palate of prophane loose men, and of such as have zealously opposed the Work of God, and the power of godlinesse these years past, and wherein their hearts doth so much rejoyce, I fear, hath too much of the spirit of the world, & too little of the spirit of God in it.

O. This way doth not divide from any point of the truth of God, but leads in the good old path of former sound principles, and cannot be justly charged as divisive, because it will not unite with a course of defection, and therefore there can be no just reason to say, that it tends to the hindering of Reformation and Peace. The true fountain of our divisions doth spring from the Publick Resolutions, which divided many from received truths and former principles, and did necessitate others to evidence their cleaving thereto, by testifying against such back-sliding; neither know I any thing that hath so directly tended to the hinderance of the Work of Reformation as their Publick Resolutions did. The Work of Reformation, as to the outwards of it in Church and State, did much stand in purging the Ministerie and Elderships, and the Judicatories and the Army, and have not all these been obstructed by the Publick Resolutions, which laid a foundation for bringing into the Army and the Judicatories, men of questionable integrity, disaffected to Reformation, and of scandalous conversation, and hath not onely blunted, but turned the edge of any zeal that was formerly bent against ignorant, disaffected and scandalous Ministers  
and

and Elders, and Professours, against these who cannot be consenting to the late courses.

P. Separation and Schisme hath been the ordinary charge of back-sliders, against such as would not concur with them in every age of the Church, and some of the most eminent of these who are now for the Publick Resolutions, may remember, that they were not only loaden herewith by the Prelats, when they did oppose the course of conformity, but also by all the Malignant and disaffected persons in the Land, when they did oppose the course of malignancie; but to say nothing, that this Assembly at *Edinburgh* have taught the Protesters a way of separation, which they cannot well condemne, unlesse they condemne their own judgment and practice, I mean, the allowing of the smaller part, not only to divide from the greater, but also to act without them, and exercise authority over them. I desire 1. that they will be pleased to let the world know what truth that hath been taught in the Church of *Scotland*, either concerning Faith, or good Works, or Worship, or Discipline, or Government, they have departed or separated from. Is it a separation, because they will not approve of, nor submit unto the authority of two corrupt and unfree Assemblies. 2. I desire it to be considered, that whatsoever be in the matter of separation, the Protesters are not *separantes* but *separati*, not *fugientes* but *fugati*, they are driven violently by unjust censures and persecutions, as I have already shewen from the Publick Acts.

Q. If they be indeed of the opinion, that difference of judgment in these things should be no prejudice to joynt acting in Publick Judicatories, then it concerns them for their own vindication, and for reconciling their practice with their opinion, to tell us why their Assembly at *S. Andrews* did not onely approve of the Act of Commission, appointing those who oppose the Publick Resolutions to be censured, but also made Acts of their own for censuring of such; and why the Assembly at *Edinburgh* did ordain, That Elders and Expectants, who will not engage themselves under their hands, to abstain from holding up this difference, are to be excluded from sitting in Presbyteries, and being received as Ministers; sure if this difference need be no prejudice to joynt acting in Publick Judicatories, the maintaining thereof is without ground made a cause of censure, which must incapacitat men to act, or of exclusion, which

which must bar them from joynt acting in Judicatories, what shal be said to this, I do not know, unlesse it be alleaged, that it is not simply difference of judgment, that is made a ground of censure or exclusion, but difference of judgment kythed in opposing the Publick Resolutions, or holding up debates and controversies in preaching or writing about these things; but first, if it be meant of that difference of judgment that is inward onely, it is to small purpose, because that being latent and not known to me, cannot be made a ground for my with-drawing from joynt acting with these who thus differ from me: and if it be known and professed, how shall there be any known difference of judgment, without some opposition to the adverse judgment, especially if it be established in a Law, he who professes and declares the difference of his judgement from the Law, and dis-satisfaction therewith, is he not in so far, a weakner, gainsayer, and opposer thereof. 2. If they mean it thus, they have not measured the same measure unto themselves and to others; they will have others to passe from their Protestations under their hands, and to engage themselves not to hold up debates, otherwise they will not act joyntly with them in the Judicatories, nor allow them the legall capacity to act at all, and yet while they will do no such things themselves in reference to their Assemblies and the Acts thereof, yea, will have these Assemblies to stand as free and lawfull, and all the Acts thereof, wherein their judgment is involved, as binding and obligatory, they desire that their Brethren may be dealt with, not to let this hinder them from a joynt acting in the Publick Judicatories. 3. If it be onely the opposing of Publick Resolutions, and the holding up of debates that they quarrell with, how is it that in Presbyteries they will have young men who have hitherto been silent, publicly to declare themselves anent these things, or else refuse to admit them to their tryals, or to stop them being admitted, or to refuse them Testimonials being approven.

*Act for putting in execution former Acts  
and Constitutions of Generall Assemblies, anent trying,  
admitting, removing, and deposing of Church Officers,  
censuring of scandalous persons, receiving of penitents,  
and debarring of persons from the LORDS Table.*

*Edinburgh 3. August. 1652. Postmeridiem. Sess. 20.*

“**T**He Generall Assembly, considering the obligations that lyes  
“upon all Ecclesiastick Judicatories and Ministers within this  
“Land, by the commandment of GOD, and our Covenants and  
“Engagements taken upon us, before GOD and the World,  
“(whereunto they resolve, in the power of the LORD’S might,  
“constantly to adhere) and to shew themselves faithfull and zealous  
“in all their administrations for the LORD, and for advancing  
“the Work of Reformation; and particularly, considering that the  
“condition of this time doth require in speciall wayes, that in trying,  
“admitting, removing, and deposing of Church-Officers, censuring  
“of scandalous persons, dispensing of Ordinances, receiving of  
“penitents, the Rules of the Word of GOD, and Constitutions of  
“this Kirk be diligently put in execution, and accurately observed.

“Therefore,

“The Assembly Ordains, That Presbyteries and Synods, in admitting  
“of Persons to the Ministry, be accurate in their tryals, according  
“to the Order prescribed in this Church, that none be admitted  
“to the holy and high function, but such as are qualified  
“according as is required in the Word of GOD, and Constitutions  
“of this Kirk, both for knowledge in the mystery of godlinesse, and  
“abilities to teach and convince the gain-sayers, as also in conversation  
“and godlinesse, that they lay hands suddenly on no man,  
“nor be partaker of other mens sin; and for this end, that every  
“Presbyterie be careful to have gathered together such Acts of Assemblies  
“as concerneth the triall of Ministers, and have them before them,  
“whensoever any person is called to any place of the  
“Ministry, and is upon his trials.

" 2. Ordains that Presbyteries and Synods, in their respective bounds, make conscience, that such Ministers as are found either ignorant and not apt to feed the people of God with knowledge and understanding, or erroneous in their judgment in matters of Religion, or are scandalous in their life and conversation, and are not examples unto their flocks in godly and holy walking, or disaffected to the work of Reformation, be censured according to the degree of their offence, and Acts of Assemblies. And for this end, that they be frequent and accurate in visitation of Kirks, and therein make conscientious use of the rules prescribed for visitations, and of such Acts of former Assemblies, as holds forth the duties of Ministers, and the grounds and causes of censure.

" 3. Ordains that, where Ministers lawfully deposed; are unlawfully admitted, and not according to the Order prescribed in the Acts of Generall Assemblies, or intrudes themselves into places, Presbyteries and Synods make use of that power and Authority which Christ hath put in their hands, to remedy the same, and to censure such disorders and enormities, as they deserve, And that people be not accessory unto, or concurring with any Ministers that are deposed, in intruding themselves into places, nor give them any countenance that does so, as they would not draw upon themselves the wrath of God, by contemning and despising Christs Ordinance of Discipline, And that no Presbyteries or Synods proceed to open the mouths of, or re-admit unto the Ministry, any deposed Ministers, but according to the Order prescribed in the Acts of Generall Assemblies, As they will be answerable unto the General Assembly.

4. Ordains that Sessions be careful that none be admitted to be Elders in Congregations, but such as are in some competent measure able and qualified with knowledge of Religion, and understanding of the duties of their Calling, for discharging the duties of that Office, and of a blameless, Christian and godly conversation; And that before any be admitted to be an Elder, the Persons name that is designed, be publickly intimate to the Congregation the Lords day before, that if any have any thing to object against him, they may present the same to the Session or to the Minister. And that if any Elder be found negligent



"in the duties of his charge, and continue so after admonition,  
 "or scandalous in his life and conversation, or to be a neglecter  
 "of the worship of GOD in his Family, he be removed from,  
 "and purged out of the Session.

"5. Ordains that Sessions and Presbyteries be carefull, and  
 "make conscience by all means to censure impartially all per-  
 "sons of whatsoever rank or condition, that are scandalous, ei-  
 "ther in things of the first, or in things of the second Table, ac-  
 "cording to the Rules and Order which Christ hath prescribed  
 "in his Word, and to proceed to the highest censures, with  
 "such as are grossely and obstinately scandalous, or are ignorant,  
 "and contemn, and continually neglect the means of knowledge,  
 "as publick and private catechizing, &c. after they are made in-  
 "excusable by sufficient means used to reclaim and gain them.

"6. Ordains that Ministers and Sessions in Congregations be  
 "carefull, as they will be answerable to Christ Jesus, to debar  
 "from the Lords Table, all such persons as are found not to walk  
 "sensibly to the Gospel, and being convinced and admonished  
 "thereof, do not reform; As also all such as have not knowledge  
 "to examine themselves, and to discern the Lords Body. And  
 "that for the more orderly performing of this, the Minister in  
 "examination of the people, have some of the Elders alwayes  
 "with him, and represent unto the Session such as are found  
 "grossely ignorant, that by order of the Session they may be de-  
 "barred.

"7. That Presbyteries and Sessions make conscience, that such  
 "persons as are found scandalous, and are under censure for that  
 "cause, be not received nor absolved from their censure, unless  
 "they give such satisfaction and evidences of their repentance, as  
 "are expressed in the Acts of the Assemblies, concerning the re-  
 "ceiving of penitents.

J. MAKGHIE.

#### OBSERVATIONS.

This Act (as is professed and given out by many) was not  
 only intended, but if they may be trusted, dorth indeed and upon  
 the matter give full and clear satisfaction to the Propositions  
 which were offered by the Protesters unto their Brethren of the  
 Assembly

Assembly at their first down-sitting, as the best means for satisfying of their consciences, securing of the Work of Reformation, purging the Church, promoting the power of godlinesse, removing of these sad differences, and for attaining and preserving a good understanding, and therefore these (as they alleadge being satisfied) the propounders of them not acquiescing therein, must have some other thing before them: Therefore for vindicating of these, I shal mark a few things for shewing how unsatisfactory all that is contained in this Act is, unto the desires contained in these Propositions, untill there may be opportunity to make a more full discovery thereof. 1. To passe the ambiguity of their Answer to the first part of the first Proposition, wherein it is desired that they give evidence, &c. They omit the whole second Proposition, to wit, That it be seriously laid to heart, &c. which in order to the ends that are propounded in the Preface to these Propositions, to wit, the satisfaction of our Consciences, is as to the present condition of affairs betwixt them and the Protesters, the most important of these Propositions, yea in their other Papers these things which the Protesters complain of as defection, they commend as duty, and professe their adherence thereunto, and appoint censures to be inflicted upon all the opposers thereof.

2. They also omit the whole third Proposition, to wit, That as we are ready in our station, &c. by which omission they give just ground to suspect, that there is in their apprehension no malignant party that needs to be discovered, or from whom the Work of God stands in danger; and though the Protesters do not in the first part of the Proposition take upon them to secure and guard the Cause and Work of God against error heresie and schisme, but onely by this Overture gave evidence of the sincerity of their intentions in order to that end, that so they may satisfie their Brethren in the matter of their Jealousies thereunto, yet as they do still apprehend a great danger to the Lords Work from a numerous party of malignants still in the Land, so are they much unsatisfied that the Assembly gave no expression of their sense of danger this way, nor evidence of their willingness to concur in securing against the same, nor hold forth any way for the discovering and knowing of these for the time to come.

3. Whereas they seem to grant much in order to the trying,  
 E 2 admitting

admitting, removing, and deposing of Church-Officers, censuring of scandalous persons, dispensing of Ordinances, and receiving of penitents, they do really and in effect grant little or nothing; yea they do expressly refute the desire of the Propositions upon these things, and establish the very contrary: Because the desire of the Propositions is, that the late Meeting at *Dundee* and the Acts thereof being taken out of the way, and the Work and People of GOD secured from the harm and evil consequences which have already, and may further ensue from the same, as is expressed in the last Proposition ( which they wholly omit ) all these things may be done according to the Acts of former uncontroversied Assemblies of this Church, concerning the Work of Reformation in the literall and genuine sense and meaning thereof; but their grants and concessions do include for the rule, according to which they are to be regulated, viz. the Acts of General Assemblies, and Constitutions of this Church indefinitely, which in their sense doth clearly and undeniably include the Acts of the last Assembly at *Dundee* and *Edinburgh*, which instead of purging of the Church from ignorant and disaffected and scandalous Ministers and Professors purge it from a very great part of the able well affected & good Ministers, Elders, Expectants, and Professors of the Land, because of their not acknowledging the authority, and acquiescing to the Constitutions of these Assemblies.

4. Their actions ( which before the Lord, and also with intelligent and discerning men, are the most real evidences of the reality and sincerity of mens intentions ) since that time do demonstrate, whether they have granted the desire of these Propositions: Tell me how many ignorant, disaffected, scandalous Ministers or Elders, are censured by the Authors of the Publick Resolutions since the last Assembly, or how many lawfully deposed and unlawfully admitted are proceeded against, &c. They would fain find some shadow of an excuse for so grosse an oversight, and cast the blame upon the Protesters, who say they have so weakened the authority of the Church, that her censures are rendered altogether ineffectual. But 1. To say nothing that spirituall censures are not alwayes to be foreborn, because men refuse to obey; yea in many cases they are the more vigorously to be prosecuted. 2. With what colour of reason can it be alledged that those

those who not onely acknowledge their authority, but very zealously pleading for it, as most of the scandalous and dissaffected Ministers and Elders of the Land do, will not submit unto it. 3. It is time for them to plead, that excuse when they meet with that difficulty; tell me how many of that kind can be instanced whom they have not censured, who have not submitted to their censures. 4. The not submitting to their censures doth not hinder them to proceed very zealously against sundry Ministers, and many Elders who adhere unto the Protestation, and bear testimony against the Publick Resolutions? Let Consciences speak as before the Lord, whether they have faithfully and zealously improven the power and authority that remains with them in Synods, Presbyteries and Sessions for purging of the house of God, even according to these things which they seem to grant, or whether they have not been negligent exceedingly in this, to say no worle, and imployed most of their endeavours and zeal to bear down the Protectors.

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REASONS why the *Ministers, Elders,*  
and *Professors*, who protested against the Pretended  
Assemblies at *St. Andrews, Dundee and Edinburgh*,  
cannot agree to the Overtures made unto them at the Conference,  
upon the 28. and 29 of *July, 1652. &c.*

**A**lbeit the Essayes and Endeavors which were used by us,  
before our coming hithe, for removing of Differences,  
and attaining of Union and Peace, upon such grounds  
as might (indeed) bring forth a discovery of our, and  
the Lands Sin, and contribute for removing the guilt thereof, and  
for securing and promoting the Work of Reformation amongst  
us, might in a great part have acquitted our consciences, and cleared  
us before the world; yet the deep sense that we had of the  
many and great prejudices which do ensue to the Work and  
People of God, by our continued Divisions, and our ardent desire  
of Peace and Union, upon the grounds foresaid, constrained  
us to lay hold upon the opportunity of your meeting together at  
this time, and to represent unto you, some necessary and just Propositions,

positions, as a fit subject of our conference ; and that we were willing to hear what should be offered by you to us, in order to these ends ; and, that therefore you would forbear to assume unto your selves the power of, or constitute your selves into a Gen. Assembly. And when we found this in-effectual, and our Union rendred more hopeles, by your denying a desire so just and reasonable, and so agreeable to the practice of former Assemblies, as was instanced before you by these who knew the Records: Nevertheless upon a surmise of a purpose in you to confer with us, we did for divers dayes wait upon you, being desirous to have seen upon your part, some serious applying of your selves to the real means of healing, and to have found solid satisfaction unto the things contained in the Propositions offered to you by us : But in place of this, the Brethren who were appointed by you to confer with some of our number, did intimate unto us, that all which they had in Commission to make offer of, was, That ye were willing to take-off the Censures inflicted by the former Assembly at *St. Andrews* and *Dundee*, and the Censurableness that persons, who have transgressed against the Acts thereof might be liable unto : Providing, that these Brethren censured, and deserving Censure, should pass from their Protestation against the former and present Assemblies, and judicially before their Presbyteries and Synods, engage themselves under their hands, nor hereafter to deliver their Judgments in Preaching or Writing, or any way else to hold up the late differences. Which Overture when it was earnestly desired by these of our number to be given to them in writing according to their Instructions, not only because it was divers wayes represented by such of your number as did confer with them, but also that they might the more perfectly and better understand the same, and be able to make an exact report thereof to these who sent them, and mistakes thereupon might be Prevented : It was most peremptorily refused, albeit most earnestly urged and desired during the whole time of the Conference : Therefore having set down the same as truly and impartially as our judgments and memories could attain ; We do for our own vindication, and satisfaction of others, give these Reasons following, why we cannot accept thereof.

“I. Because there is hereby no remedy at all offered for the  
 ,course

"course of defection involved in the Publick Resolutions, nor for  
 "preventing the like for time to come, which is the main ground  
 "of difference; but upon the contrary we are required upon the  
 "matter to retract our Testimonies thereanent, and judicially to  
 "give Bonds and Engagements hereafter to be silent concerning  
 "the sin and guilt thereof.

"II. Because our passing from our Protestation doth import a  
 "real acknowledgement of the lawfulness and freedom of the  
 "Assemblies in regard of their constitution, and of power in them  
 "to inflict and take-off Censures, and so by our own consent, doth  
 "not only retract and condemn the testimony which we former-  
 "ly gave against the same; But also obstructeth the remeading  
 "of what is past, and the attaining a lawful, free, General Assem-  
 "bly for the time to come, and so wreaths about our own neck,  
 "and the necks of the Lords People, the yoke of unfree, corrupt,  
 "and unlawful Assemblies.

"III. Because the offer which is made, though it contains Im-  
 "munity in regard of these who have not acquiesced unto, or op-  
 "posed these Acts for the time past, yet the Acts of themselves do  
 "notwithstanding thereof, still stand in force, as a ground of per-  
 "secution against all these Ministers and Professors, who shall not  
 "accept of the conditions contained in this offer, or thereafter fail  
 "in performance of the same.

"IV. Because this offer is so far from reaching satisfaction to  
 "all, or most part of the Propositions offered by us, that it doth  
 "not give satisfaction to any one of them, but pitcheth upon a  
 "particular, which ought to be of least consequence with us, (as  
 "importing but our personal suffering,) without taking notice of  
 "the Lands defection, and of those things which do concern the  
 "Kingdom and Interest of JESUS CHRIST, and the purging  
 "of his House; and what a sin and provocation should it be a-  
 "gainst the Lord, and what a stumbling and grief of heart unto  
 "the godly who have concurred in these Propositions, and after  
 "such a defection, do expect repentance and reformation, and the  
 "purging of his House of corrupt Officers and Members, if we  
 "should make such a transaction, as seems to promise present se-  
 "curity to our selves, but doth not contribute for preserving of  
 "the Truth, and attaining a solid Peace and Union in the Lord.

"V. We



"V, We cannot see how the passing from these Propositions,  
 "and the taking upon us such Engagements for the time to come  
 "as are desired, should not involve us in the condemning of our  
 "own judgments, and in the acknowledgment of a sin and of-  
 "fence in making these Protestations, and bearing testimony a-  
 "gainst the Publick Resolutions, and import that what is done by  
 "you in taking off of Censures and censurableness ( as you term  
 "it ) is an Act of meer favour and grace upon your part, unto De-  
 "linquents, upon their repentance. And though we hope that we  
 "shall never be ashamed, but esteem it our mercy and glory to ac-  
 "knowledge any thing whereby we have provoked the Lord, or  
 "offended others, yet being more and more convinced in our con-  
 "sciences, that what we did in these things was a necessary duty,  
 "we dare not purchase immunity and exemption from Censures  
 "at so dear a rate, as to deny the same, we shall rather choole still  
 "to be sufferers, and to wait upon the issue that the Lord shall  
 "give, then to provoke the eyes of his Glory, grieve the spirits of  
 "his People, and wound our own Consciences, by so unsatisfying  
 "and so sinful a transaction.

And conceiving that, we shall not have the opportunity to  
 speak unto you hereafter, as being now about to dissolve our  
 Meeting; We do from the zeal that we owe to the honour of  
 God, and from the tender respect we owe to you as Brethren,  
 and for exonerating our own Consciences, most earnestly beseech  
 and obtest you, by your appearing before the Lord Jesus Christ,  
 to give your selves unto Prayer, and searching of your own hearts  
 and way, in Order to Publick Resolutions and Actings, untill each  
 of you finde out wherein ye have turned aside from the straight  
 way of the Lord, and imployed your gifts and power not for Edi-  
 fication, but for grieving the spirits of many of the Godly, and  
 strengthening of the hands of the wicked; and to Repent thereof,  
 and to do no more so, least wrath be increased from the L O R D,  
 the Godly of the Land more offended, and our breach made wider,  
 and our wound more incurable. If both you and we might obtain  
 mercy of the Lord to know our trespasses, and why he contends,  
 and to accept the punishment of our iniquity, and humble our  
 selves before him, who knoweth but that he might yet have com-  
 passion upon us, and pardon our sins, and heal our Land.

July

July the 28. Antemerid. 1652.

**M**r. Andrew Cant, Mr Samuel Rutherford, Mr James Gusbry, My Lord Waristoun, Mr Robert Trail, Mr John Neway, Mr James Nasmyth, being nominated to meet & confer with some Brethren, Members of the present pretended Assembly, the Instructions following were given them, and the Meeting doth require and expect, that they will walk according thereto.

I. That they shall declare to the Brethren With whom they are to meet, That as they do adhere to the Protestations formerly and lately given in; so they do protest, that they do not meet nor confer with them, nor receive any Papers from them, as being in the capacity of Commissioners of a General Assembly, but onely as sent from a meeting of Ministers and Elders, Wanting any such Authority.

II. That whatever be offered by the Brethren with whom they do confer, they desire to get it in writing from them, as the mind of the Meeting Whereof they are Members; That it being communicated to us, Answer may be given thereunto by our Whole Meeting.

III. That they do not engage in Conference With them at first about the matter of Censures; It being neither the chief nor only ground of our grievance; and because With us things of that nature, and any thing of personal concernment, ought to be of the smallest value, While there are many things in question betwixt them and us, of far higher consequence to the Kingdom of Christ and his Interest, as anent the causes of Gods controversie With the Land, and the way of remedy and cure of the former and late defection, and the way of preventing the like in time coming. The establishing and promoting the Work of Reformation, and the purging of the Kirk, and the like, as are laid before them in our Propositions given in to their Meeting; And that they do intimate to the Brethren foresaid, that We cannot look upon an offer relating onely to the Censures, upon some of our number, as satisfaction to them or us, and that (besides what We have said) for other reasons to be communicated in due time to their Meeting. And that therefore they shall offer to these Brethren, and desire of them, that if there be any Conference at all, the subject matter of it may be

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upon

upon the whole Propositions in the order as they stand.

IV. That in case of their refusing the latter part of the former Article, they shall require and demand from the Brethren of the other Meeting, That they would declare whether we may expect, that these from whom they were sent, Will either by the said Brethren, or any other Way, give answer and satisfaction to us anent the Propositions, and What is their sense and meaning of the Publick Resolutions, and anent the Constitution, Acts and Proceedings of the Meeting at Dundee, and of this at Edinburgh, and What they minde to do in reference to the same.

V. That in case there be not satisfaction obtained in these so just and necessary things, They do professe their own and our dissatisfaction with any thing that hath been offered by them to us, or answered to our desires first or last. And that they protest for themselves and us, That as we have sought Peace, and pursued it by all lawfull and possible means, though much in vain on their part. So we are henceforth free from the guilt and blame of the sad prejudices and evil consequences whatsoever, which may follow upon their present Way, and their former and future aëtings of that nature, so contrary and destructive to Edification and Peace.

Right Reverend,

**VV**E have now for these fourteen dayes past, been employed in using our best endeavours, and waited for Overtures from you, for healing the breach, and removing the differences that are amongst us; And now there being no ground of hope given us, nor any desire made unto us for continuing the Conference, whereby a better understanding might be attained; We have thought good before our parting from this place, to send unto you this inclosed Paper, together with the Instructions given in writing to these who were sent from us to the Conference, the Copy whereof was offered by them to these who were sent from your number, and left with them; Both which Papers we desire you to communicate to those of your meeting. And so we rest,

Your very loving Brethren in the Lord.

Edinb. 29. July 1652.

Subscribed in the name of many Ministers, Elders, and Professors throughout the Land, who desire truth and peace.  
Directed, For the Reverend Brother, Mr. David Dickson, Professor of Divinity in the Colledge of Edinburgh.

**PROPOSITIONS** *which were offered  
to the Meeting of Ministers and others, appointed to  
be kept at Edinburgh, July 21. 1652.*

**W**Hereas we, and many of the godly in the Land have been really scandalized and stumbled at their late Acts and Proceedings, relating to Publick Resolutions concerning the same in the nature and Intention of the Work, to have obstructed and shaken the Work of Reformation ( although we think honourably of diverse Godly and Learned men who have been concurring in the same, and dare not judge their Intentions to be such as we think their Work hath been, and do allow charity to others.) Therefore for satisfaction of our conscience, and for securing the Work of Reformation, for purging the Church, and for promoting the power of godliness, and for removing of these sad differences, and for attaining and preserving a good understanding, We desire,

That they give evidence and assurance, that they approve of, and will adhere unto the solemn Publick Confession of sins and engagement to duties, and all the Acts of the uncontroverted Assemblies of this Church, concerning the Work of Reformation, in the literal and genuine sense and meaning thereof. And that in dispensing of the Ordinances, censuring of scandalous persons, receiving of Penitents, trying, admitting, removing and deposing of Church-Officers, they will walk according to the same. That it be laid seriously to heart before the LORD, how after such a defection, and so sad judgments for it, the LORD may be restored to his honor, the Land to his favor, and the like defection prevented in time coming.

That as we are ready in our station, to follow all religious and conscionable means and Overtures for securing and guarding the Cause and Work of GOD against Error, Hereſie and Schisme on the one hand, so they would hold out to us a solid way for securing the same against dangers from Malignancy on the other. And we would know what shall be the Characters in time coming, by which Malignancy may be known and judged.

That a reall and effectuall course be taken, according to the established

blished rules of this Kirk, for purging out, and holding out all such Church-Officers as have not the Position, and qualifications required in the Word of God, & Acts of this Kirk, particularly, where Ministers deposed by lawfull Assemblies, have intruded themselves, or have been unwarrantably restored by Synods and Presbyteries to their Charges, contrary to the form and order prescribed in the Acts of Assemblies, be removed, and condign censures inflicted, and that sufficient Provision be made for preventing the like in time coming.

That after means be fallen upon and followed for censuring of all scandals and scandalous persons, and casting out of these who shall be found grossly and obstinately scandalous or ignorant, after they are made inexcusable by sufficient means and pains taken for their instructing and reclaiming.

That some course more effectuell than any hath been fallen upon hitherto, may be condescended upon, for putting in execution the Acts of this Kirk, anent debarring from the Lord's Table such persons who are found not to walk futeably to the Gospel, and have not knowledge to examine themselves, and to discern the Lord's Body.

That in the receiving of Penitents, care may be had that none be admitted to the publick Profession of repentance, or reconciled to the Church, but these who are found to give such evidence of their repentance, as is exprest in the Acts of the Assemblies, concerning the receiving of Penitents.

That an effectual course may be taken for securing of the Work and People of God from the harm and evill consequences which hath already, and may further ensue from the late pretended Assemblies at *S. Andrews* and *Dundee*, and the Acts thereof.

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